

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Review of the Deaf Relay)	
Service and Equipment Distribution Fund)	Case No. TO-2009-0042
Surcharge.)	
)	

NOTICE REGARDING EXTERNAL COMMUNICATIONS

Issue Date: April 27, 2009

On April 25, 2009 we received the attached documents by electronic mail from Marty Exline regarding the Relay Advisory Committee's request to expand the telecommunications equipment distribution program.

Respectfully submitted,

Robert M. Clayton III, Chairman *RC*

Connie Murray, Commissioner *CM*

Jeff Davis, Commissioner *JD*

Terry Jarrett, Commissioner *TMJ*

Kevin Gunn, Commissioner *KG*

Dated at Jefferson City, Missouri,
on this 27th day of April 2009.

Parish, Dana

Subject: FW: Relay Advisory Committee Request to Expand Equipment Distribution Program

Attachments: PSC Memo Telecom Access Program.doc

From: Marty Exline [mexline@swbell.net]

Sent: Saturday, April 25, 2009 4:39 PM

To: Clayton, Robert; Murray, Connie; Davis, Jeff; Jarrett, Terry; Gunn, Kevin; VanEschen, John

Subject: Relay Advisory Committee Request to Expand Equipment Distribution Program

Attached please find a memorandum addressing the Relay Advisory Committee request to expand the telecommunications equipment distribution program. Please feel free to contact me if you have any questions or would like further information on the issues discussed in the memo.

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4/27/2009

TO: Missouri Public Service Commission

FROM: C. Marty Exline, Missouri Assistive Technology Council

RE: Relay Advisory Committee Request to Expand Equipment Program

DATE: April 24, 2009

The Relay Advisory Committee has recommended expansion of the Telecommunications Access Program (TAP) to include the provision of wireless telecommunications equipment. As the entity statutorily responsible for delivering the statewide equipment distribution program, the Missouri Assistive Technology Council would be pleased to consider expanding TAP to include wireless equipment provided the Missouri Public Service Commission is supportive of a surcharge level sufficient to cover the additional costs and expansion to wireless is a consensus priority of the disability community state-wide.

Per statute requirements, any equipment expansion must be done in a manner that is non-discriminatory, equitable and cost-effective for Missourians with disabilities. Currently the program is limited to devices used with hard line telecommunication services and provides equipment for both basic telephone and internet access for persons unable to use traditional equipment due to a disability. Statutorily, the Council is required to:

- \$ Provide a full range of adaptive telecommunications equipment to meet the needs of individuals with all types of disabilities.
- \$ Procure and distribute adaptive telecommunications equipment in the most cost-effective manner possible.
- \$ Develop administrative procedures to assure an appropriate match between an individual with a disability and adaptive telecommunications equipment.
- \$ Provide consumer support and outreach (spend at least 10% on these services).

TAP for Telephone currently provides a wide range of devices including amplified telephones, hands free telephones, anti-stuttering telephones, hearing carry-over, voice carry-over and text telephones. TAP for Internet currently provides a full range of computer adaptations including screen readers, screen enlargement software, adaptive keyboards and pointing devices and voice recognition software. TAP for Internet does not provide the base computer as that is considered "non-adaptive" equipment that all consumers would be expected to have for basic internet access.

Given the statute requirements and the uniqueness of Missouri's program covering telephone and internet access, adding wireless equipment would be a substantial program expansion with significant associated costs. TAP for Telephone would need to provide adaptive wireless devices not only for persons who are deaf, but also for those who are hard of hearing, blind or of low-vision, and those with motor disabilities. This would include providing amplified wireless telephones, cell phones with larger buttons/keys and some form of remote access (perhaps through the system used to control a person's wheelchair or augmentative communication device), cell phones with text to speech capacity and keypad talk-back features and cell phones with larger key and screen size.

TAP for Internet would need to provide all the same adaptive systems currently available for computer access for use on wireless portable devices capable of internet service such as smart phones and PDAs. If TAP for Telephone is expanded to provide PDA's that are internet enabled, TAP for Internet would also have to make such devices available and it would be difficult to justify providing a mobile internet device and not the base computer

needed for land line internet service. Obviously expanding to providing base computers to eligible consumers would require a large appropriation increase.

Both TAP for Telephone and TAP for Internet are obligated by statute to provide consumer training and matching of equipment to disability needs. Doing so for wireless equipment would be complicated because wireless network technology varies between providers. Some adaptations (such as screen reading software for wireless devices) work only on wireless equipment running on certain networks. Some off-the-shelf wireless devices have built-in access features and others allow for certain third-party software to be loaded. Developing statewide expertise necessary to provide consumer training and support in feature matching with a myriad of compatibility issues will be challenging and costly.

Administratively, those state telecommunication equipment distribution programs that currently provide wireless devices are different from Missouri as they tend to be voucher programs that are not obligated to provide equipment equitably across all disability groups. To insure cost-effectiveness required by statute, TAP utilizes a competitive bid process through the Office of Administration to directly purchase and ship equipment to consumers at significant savings over issuing vouchers to consumers. However, wireless service and end-use equipment tend to be "bundled" so that the pricing structure is based on the expectation that the vendor will recoup its costs for the hardware through the monthly service charges paid by the customer. This makes it difficult to impossible to implement a cost effective direct buy program. Most likely, Missouri consumers would have to enter into a contract for wireless service and either get reimbursed for or provided a voucher to off-set the cost of the wireless equipment. This would be a significant departure from the current process of establishing equipment contracts through OA's competitive bid process and would take considerable study to determine the amount of additional appropriation that would be required.

In addition, providing equipment such as Blackberry's, iPhones, and other smart phones/PDAs, would significantly increase the risk of fraud and would create the need for very different application, review, and approval procedures. Current adaptive equipment provided by TAP has limited market value outside of meeting the needs of specific disability functional limitations. (There is little risk of someone wanting screen-reading software absent being blind and needing it for computer access; and there is little chance the software can be sold for profit.) Obviously the situation is completely different for an iPhone or Blackberry and extensive new administrative policies and procedures would need to be developed and implemented to prevent program fraud.

Another important question surrounding expansion of the program is whether adding wireless equipment is the priority of the disability community at large in Missouri. TAP has had requests in the past to consider adding devices needed for one-on-one communication (such as speech generating devices used by individuals who have lost functional speech, artificial larynx, and hearing aids) door signalers, adapted smoke and carbon monoxide detectors, voice output clocks, baby monitors, emergency notification systems, and Braille embossers. Because the program must be equitable with respect to type of disability, the Council needs clear direction from the cross disability community about what kind of expansion is a priority. This will likely require some type of exploratory surveying.

Before investing resources to investigate and project costs associated with a program expansion, the Council would appreciate confirmation that there is support for maintaining or increasing the surcharge rate to do so. Adding wireless devices as requested by the Relay Advisory Committee would mean a major change in the size, scope, operation, and cost of TAP. Such a change might require a statute change and would definitely require

regulation amendment. A significant investment of personnel time will be necessary to assess the expansion preferences of Missouri's disability community, determine whether an expanded program could be designed to meet all the requirements currently in statute and regulation, and address the intricacies of implementing and administering such a program. Without these steps, providing any estimate of the cost of such an expansion would be pure speculation. To mount such an effort, the Council will need to contract for additional personnel time. If the Commission would like us to undertake an investigation of program expansion, please let us know and we will take appropriate steps to request the necessary appropriation authority.

Please feel free to contact me if you have any questions or would like further information on the issues discussed in this memo. John VanEschen, Manager of the PSC Telecommunications Department, requested that I attend a PSC meeting sometime in the future which might provide a venue for the PSC to elucidate its perspective on expanding the equipment distribution program. Please let me know of any additional issues the PSC is interested in discussing at an upcoming meeting. I look forward to your response.