

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 21st day of
August, 2008.

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

ORDER ESTABLISHING CASE

Issue Date: August 21, 2008

Effective Date: August 21, 2008

The Missouri Public Service Commission ordered the implementation of the Relay Missouri Program in Case No. TO-90-174. The Relay Missouri Program is a statewide dual-party telephone relay service for the deaf, hearing-impaired and speech-impaired, which was created by Section 209.253, RSMo 1994. By Commission order dated February 19, 1991, the initial surcharge was set at six cents (\$.06) per month per access line. Since that time, the surcharge has fluctuated, but since June 28, 2005, the surcharge has been set at 13 cents (\$.13) per month per access line.

Under Section 209.259, RSMo 2000, the Commission is required to review the surcharge periodically in order to ascertain that necessary funds are available for the provision of the program. The Commission last reviewed the surcharge in Case No. TO-2007-0306.

On August 11, 2008, the Staff of the Commission filed a motion requesting that the Commission open a case to review the surcharge that funds the Relay Missouri Program. The Commission will open the case and review the surcharge. The Commission

will also give interested parties an opportunity to intervene and to respond to Staff's recommendation. Accordingly, a copy of this order will be sent to all competitive local exchange carriers and incumbent local exchange carriers in Missouri. In addition, the Data Center shall send a copy of this order to all parties on the service list in Case No. TO-2007-0306 and the following:

Missouri Assistive Technology Council
4731 S. Cochise, Suite 114
Independence, Missouri, 64055

Missouri Council of the Blind
5453 Chippewa
St. Louis, Missouri 63109

National Federation of the Blind – Missouri
Gary Wunder, President
3910 Tropical Lane
Columbia, Missouri 65202-6205

Furthermore, the Commission will direct the Information Office to send a copy of this order to all members of the General Assembly and to all newspapers in the state of Missouri as listed in the Newspaper Directory of the current Official Manual of the State of Missouri.

IT IS ORDERED THAT:

1. Case No. TO-2009-0042 is established in order to review the current surcharge for the Relay Missouri Fund.
2. The Data Center of the Commission shall serve a copy of this order as described above.
3. The Commission's Public Information Office shall make notice of this order available to the members of the General Assembly and all newspapers in the state of Missouri as directed above.

4. Any party wishing to intervene in this matter shall file an application to intervene with:

Colleen M. Dale, Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

and serve a copy on:

Office of the Public Counsel
P.O. Box 2230
Jefferson City, Missouri 65102

no later than September 10, 2008.

5. Responses to Staff's recommendation shall be filed no later than September 10, 2008.

6. Staff shall file a reply to any response to its August 11, 2008 recommendation no later than September 20, 2008.

7. This order shall become effective upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Murray, Clayton,
Jarrett, and Gunn, CC., concur.

Dale, Chief Regulatory Law Judge