

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120**

Public Meeting held June 16, 2022

Commissioners Present:

Gladys Brown Dutrieuille, Chairman  
John F. Coleman, Jr., Vice Chairman  
Ralph V. Yanora

Recalculation of the Pennsylvania  
Telecommunications Relay Service Surcharge

M-2022-3030272  
M-00900239

**ORDER**

**BY THE COMMISSION:**

In accordance with our May 29, 1990 Order at Docket No. M-00900239 establishing the Pennsylvania Telecommunications Relay Service (TRS or Relay)<sup>1</sup> and surcharge funding mechanism (TRS surcharge) and subsequent Commission orders and legislation,<sup>2</sup> we have completed the annual recalculation of the TRS surcharge for the fiscal year period beginning on July 1, 2022, and ending June 30, 2023. The Commission will set the TRS surcharge rate for residential and business access lines at \$0.00 per month.

**Background**

The TRS surcharge recovers anticipated costs to provide calling services and equipment to individuals that are deaf, hard of hearing, deaf-blind or have difficulty speaking to make and receive telephone calls. The surcharge funds three individual programs: the Relay service itself,

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<sup>1</sup> Additional information on TRS may be found at

[http://www.puc.pa.gov/utility\\_industry/telecommunications/telecommunications\\_relay\\_service.aspx](http://www.puc.pa.gov/utility_industry/telecommunications/telecommunications_relay_service.aspx)

<sup>2</sup> See Act 34 of 1995, 35 P.S. §§ 6701.1 – 6701.4 (the statutory provisions were amended by Act 181 of 2002 to be more inclusive of persons with disabilities), establishing the Telecommunication Device Distribution Program (TDDP) to be funded by the TRS surcharge and which codified Relay and use of the TRS surcharge funding mechanism; and Act 174 of 2004, 35 P.S. § 6701.3a, which established the Print Media Access System Program (PMASP) which may be funded in part or in whole by the TRS surcharge. PMASP is a reading service for persons with certain vision-related physical disabilities. The law is now called the “Universal Telecommunications and Print Media Access Act.”

the Telecommunications Device Distribution Program (TDDP),<sup>3</sup> and the Print Media Access System Program (PMASP).<sup>4</sup> The surcharge is assessed only upon the customers of wireline Incumbent Local Exchange Carriers (ILECs) and Competitive Local Exchange Carriers (CLECs) (collectively, LECs).

The annual TRS surcharge recalculation is dependent on data from several sources. LECs submit annual wireline access line counts pursuant to 52 Pa. Code § 63.37. The traditional relay provider, Hamilton Relay, Inc.,<sup>5</sup> submitted the estimated minutes of use and charges for July 1, 2022, through June 30, 2023. Hamilton Telephone Company d/b/a Hamilton Telecommunications submitted the estimated minutes-of-use report for the Captioned Telephone Relay Service<sup>6</sup> (CTRS). The Office of Vocational Rehabilitation (OVR), Department of Labor and Industry, submitted the 2022-2023 TDDP budget and the 2022-2023 PMASP budget.

### **Calculation for 2022 – 2023**

Combined residential and business wireline access lines reported by LECs for 2021 and adjusted for Centrex lines are estimated to be 4,000,729. Based upon the number of access lines, projected TRS program costs (Relay, CTRS, TDDP, and PMASP), anticipated Pennsylvania TRS Advisory Board<sup>7</sup> expenses, TRS Fund administration costs, and the financial status of the TRS Fund, the 2022-2023 TRS surcharge rate for residential and business access lines shall be set to \$0.00 per month per access line.

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<sup>3</sup> This program provides specialized telecommunications devices, such as text telephones and amplifiers, at no charge to qualifying persons who are deaf or hard of hearing, or with speech and language disorders, or with a physical disability that prevents them from using standard telecommunication equipment. As per 35 P.S. § 6701.4, the Pennsylvania Department of Labor and Industry – Office of Vocational Rehabilitation is required to provide the Commission with an annual budget for the TDDP for the upcoming fiscal year. We note that our action on the TRS surcharge for the 2022-23 surcharge year should not be construed as an approval of the TDDP annual budget for 2022-23. Rather, the TDDP budget for 2022-23, including whether the budget is compliant with applicable law, is still under review.

<sup>4</sup> This program is a reading service for persons with certain vision-related physical disabilities.

<sup>5</sup> Hamilton Relay, Inc. (Hamilton) holds the TRS Certificate of Public Convenience to provide TRS throughout the Commonwealth of Pennsylvania. The Commission approved Hamilton's Application by order entered December 4, 2014, at Docket No. A-2014-2447601.

<sup>6</sup> Hamilton Telecommunications, an affiliate of Hamilton Relay, provides CTRS services.

<sup>7</sup> The Pennsylvania TRS Advisory Board was established pursuant to Commission Order entered May 29, 1990. The TRS Advisory Board's By-Laws and quarterly meeting schedule can be found at:

[http://www.puc.pa.gov/utility\\_industry/telecommunications/telecommunications\\_relay\\_service/trs\\_advisory\\_board.aspx](http://www.puc.pa.gov/utility_industry/telecommunications/telecommunications_relay_service/trs_advisory_board.aspx)

The TRS fund is running a massive surplus such that current TRS services could operate with full funding for approximately seven years with no surcharge. It would be unreasonable and imprudent to maintain this over-collection year after year without recognition of the affect this may have on ratepayers. While the Commission supports access to the TRS programs, we nevertheless do not support continued overcollections.

### **Operations for 2022 – 2023**

We shall continue our active oversight of the operations of the Pennsylvania Telecommunications Relay Service. Further, in accordance with 35 P.S. §§ 6701.3a & 4, we shall continue to collaborate with OVR and its TDDP administrator<sup>8</sup> to ensure adequate funding for distribution of TDDP equipment to qualified Pennsylvanians. Further, we shall continue to assist OVR in its mission to ensure adequate funding for the PMASP.

### **Audits**

On August 3, 2020, the Commission’s Bureau of Audits began an audit of the TDDP and PMASP at Docket No. D-2020-3020696. The audit covers the twelve-month periods ended June 30, 2019; June 30, 2018; and June 30, 2017. The audit report was released at Public Meeting on October 7, 2021. On August 3, 2020, the Bureau of Audits began an audit of the Telecommunications Relay Service at D-2022-3030518. The audit covers the twelve-month periods ended February 29, 2020; and February 28, 2021. The audit report is expected to be released in 2022.

### **Service of Order**

In the past, our practice has been to serve the annual TRS surcharge recalculation order on every LEC in the Commonwealth in addition to each Relay service provider, the Office of Vocational Rehabilitation, the Office of Consumer Advocate, the Office of Small Business Advocate, the Pennsylvania Telephone Association, and the Fund Administrator. Consistent with the TRS surcharge recalculation order entered May 23, 2013, at Docket No.

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<sup>8</sup> As of January 1, 2007, the TDDP is administered by Pennsylvania’s Initiative on Assistive Technology, Institute on Disabilities, Temple University.

M-2013-2341301, we now serve paper copies of the annual TRS surcharge recalculation order only when there is a change in the TRS surcharge rate or other provision in the order requiring that the LECs file a tariff supplement or take other action. As this order does change the TRS surcharge rate, we shall serve a copy on every LEC in the Commonwealth in addition to each Relay service provider, the Office of Vocational Rehabilitation, the Office of Consumer Advocate, the Office of Small Business Advocate, the Pennsylvania Telephone Association, and the Fund Administrator. Additionally, we will publish the order in the *Pennsylvania Bulletin* and on the Commission's website. All TRS surcharge revenues shall continue to be remitted to the Fund Administrator. Please note the change in surcharge remittance payment details.<sup>9</sup>

### **Conclusion**

The Commission has completed the annual recalculation of the TRS surcharge rate. The TRS surcharge rate for residential and business access lines to be applied beginning August 1, 2022,<sup>10</sup> through July 31, 2023, will be set at \$0.00 per month. All LECs are required to file a tariff supplement with the Secretary of the Commission to implement the new TRS surcharge rate. These tariff supplements may be filed to become effective on one day's notice;

**THEREFORE,**

#### **IT IS ORDERED:**

1. That for the period of August 1, 2022, through July 31, 2023, the TRS surcharge rate for residential and business access lines shall be set at \$0.00 per month, unless the Commission takes further action to revise the TRS surcharge rate prior to July 31, 2023.

2. That all local exchange carriers are directed to use the updated attached blank remittance form to remit the monthly TRS surcharge collections to the Fund Administrator. The blank remittance form shall be posted to the Commission's website. All local exchange carriers

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<sup>9</sup> U.S. Bank National Wholesale Lockbox, Pennsylvania TRS Fund, PO Box 645899, Cincinnati, OH 45264-5899. Remittances are payable to the "Pennsylvania TRS Fund" and designated for PA Relay. US Bank National Wholesale Lockbox regular mail, overnight mail, and wire instructions can be found on the remittance form attached to this Order.

<sup>10</sup> This effective date is intended to allow carriers sufficient time to make the necessary systems changes to accommodate the reduction in the surcharge and to file the necessary tariff supplements.

are required to collect and remit the TRS surcharge revenue with the completed remittance form monthly by the 20th of each month.

3. That a copy of this Order be served upon all local exchange carriers, Hamilton Telephone Company d/b/a Hamilton Telecommunications, Hamilton Relay, Inc., U.S. Bank Institutional Trust & Custody, the Office of Vocational Rehabilitation in the Department of Labor and Industry, the Office of Consumer Advocate, the Office of Small Business Advocate, and the Pennsylvania Telephone Association.

4. That a copy of this Order be published in the *Pennsylvania Bulletin*.

5. That a copy of this Order be posted to the Commission's website.

**BY THE COMMISSION,**



Rosemary Chiavetta  
Secretary

(SEAL)

ORDER ADOPTED: June 16, 2022

ORDER ENTERED: June 21, 2022

**REMITTANCE FORM FOR MONTHLY TRS SURCHARGE COLLECTIONS**

Effective August 1, 2022, through July 31, 2023

M-2022-3030272

**Pennsylvania TRS Surcharge**

All local exchange carriers are required to collect and remit the TRS Surcharge revenue monthly, by the 20<sup>th</sup> of each month providing the following information with the monthly remittance:

Company Name: \_\_\_\_\_

Utility Code: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Phone: (\_\_\_\_)\_\_\_\_\_ FAX: (\_\_\_\_)\_\_\_\_\_

Email: \_\_\_\_\_

1. For the Month Ending \_\_\_\_\_

2. Number of **Residential** access lines \_\_\_\_\_

X \$0.00 per line \$\_\_\_\_\_

3. Number of **Business** access lines \_\_\_\_\_

X \$0.00 per line \$\_\_\_\_\_

4. Total TRS Surcharge remittance \$\_\_\_\_\_

Make check payable to: **Pennsylvania TRS Fund**

<b>If paying via check:</b>	<b>If paying via bank wire:</b>
<b>Mail Report and payment to:</b> <b>Regular Mail Address:</b> U.S. Bank National Wholesale Lockbox Pennsylvania TRS Fund PO Box 645899 Cincinnati OH 45264-5899  <b>Overnight Address:</b> US Bank CN-OH-L1WH Lockbox #005899 5065 Wooster Road Cincinnati OH 45226	<b>BANK</b> U.S. Bank N.A. <b>ADDRESS</b> 60 Livingston Avenue St Paul MN 55107-2292 <b>ABA</b> 042 000 013 <b>ACCOUNT</b> 130 128 844 961 <b>OBI</b> PA Relay <b>ATTN:</b> Mark Conte Email Report to: <a href="mailto:Danielle.clay1@usbank.com">Danielle.clay1@usbank.com</a> cc: <a href="mailto:mark.conte@usbank.com">mark.conte@usbank.com</a>  <b>Also, eFile or mail Report to:</b> Secretary, Pennsylvania PUC Commonwealth Keystone Building - 2 <sup>nd</sup> Floor 400 North Street Harrisburg PA 17120

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please direct any questions regarding the TRS Surcharge remittance to Eric Jeschke at (717) 783-3850 or [ejeschke@pa.gov](mailto:ejeschke@pa.gov) or Melissa Derr at (717) 783-6171 or [mderr@pa.gov](mailto:mderr@pa.gov).