

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

Public Meeting held May 23, 2024

Commissioners Present:

Stephen M. DeFrank, Chairman  
Kimberly Barrow, Vice Chair  
Ralph V. Yanora  
Kathryn L. Zerfuss  
John F. Coleman, Jr.

Recalculation of the Pennsylvania  
Telecommunications Relay Service Surcharge

M-2024-3045235  
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 rate established for the period beginning on July 1, 2024, and ending June 30, 2025. The Commission proposes to continue with the current TRS surcharge rate of \$0.00 per month for residential and business access lines<sup>3</sup> for the upcoming fiscal year period beginning July 1, 2024.

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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” or “UTPMAAA.”

<sup>3</sup> See 2022 Recalculation of the Pennsylvania Telecommunications Relay Service Surcharge Order at Docket No. M-2022-3030272.

## **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, the Telecommunications Device Distribution Program (TDDP),<sup>4</sup> and the Print Media Access System Program (PMASP).<sup>5</sup> The surcharge is assessed 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 are required to submit annual wireline access line counts to the Commission pursuant to 52 Pa. Code § 63.37. The traditional relay provider, Hamilton Relay, Inc.,<sup>6</sup> submitted the estimated minutes of use and charges for the fiscal year July 1, 2024, through June 30, 2025. Hamilton Telephone Company d/b/a Hamilton Telecommunications submitted the estimated minutes-of-use report for the Captioned Telephone Relay Service<sup>7</sup> (CTRS).<sup>8</sup> Pursuant to Sections 6701.3(b)(3) and 6701.4(c) of the UTMPAA, 35 P.S. § 6701.3(b)(3) and 6701.4(c), The Office of Vocational Rehabilitation (OVR), Department of Labor and Industry, submitted the 2024-2025 TDDP budget and the 2024-2025 PMASP budget.

### **Forecasted Operations Costs for 2024 – 2025**

The Commission shall continue its active oversight of the operations of the Pennsylvania Telecommunications Relay Service. In doing so, the Commission believes it is necessary to

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<sup>4</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>5</sup> This program is a reading service for persons with certain vision-related physical disabilities.

<sup>6</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>7</sup> Hamilton Telecommunications, an affiliate of Hamilton Relay, provides CTRS services.

<sup>8</sup> CTRS has an open Request for Proposal. The winning vendor should be in place by July 1, 2024.

continue to collaborate with OVR and its TDDP administrator<sup>9</sup> to ensure adequate funding for distribution of TDDP equipment to qualified Pennsylvanians. As stated above, OVR is required to file annual budgets for the TDDP and the PMASP.<sup>10</sup> Further, we shall continue to assist OVR in its mission to ensure adequate funding for the PMASP. We acknowledge that OVR is statutorily obligated to ensure that there is adequate funding for the TDDP and the PMASP in Pennsylvania and we are willing to assist OVR to fulfill this mission.

### **Calculation of TRS surcharge for 2024 – 2025 Fiscal Year**

As explained above, the monthly surcharge recalculation is based principally on the anticipated costs of three individual programs, Relay (TTY style, Speech-to-Speech, Spanish Relay, and CTRS), TDDP and the PMASP, and an accounting of access lines in service. The combined residential and business wireline access lines reported by LECs for 2023 and adjusted for Centrex lines are estimated to be 2,954,000. Accordingly, based upon the number of access lines, the anticipated Pennsylvania TRS Advisory Board<sup>11</sup> expenses, the TRS Fund administration costs, the projected TRS program costs from Hamilton (Relay and CTRS), the projected TDDP and PMASP budgets from OVR and the financial status of the TRS Fund, the 2024-2025 TRS surcharge rate for residential and business access lines will remain set at the current rate of \$0.00 per month per access line.

Since the set rate will not change, LECs are not required to file tariff supplements. Additionally, LECs will not have to file any monthly remittance forms with US Bank since the TRS surcharge rate will continue at zero for the period beginning July 1, 2024, through June 30, 2025.

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<sup>9</sup> As of January 1, 2007, the TDDP is administered by Pennsylvania's Initiative on Assistive Technology, Institute on Disabilities, Temple University.

<sup>10</sup> 35 P.S. §§ 6701.3 and 6701.4.

<sup>11</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)

### Audits

In November 2023, the Bureau of Audits initiated an audit of the Telecommunication Device Distribution and Print Media Access System Programs for the twelve-month periods ended June 30, 2020; June 30, 2021; and June 30, 2022, at Docket No. D-2023-3043989. The audit report is expected to be released in 2024.

### 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. 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 not change the TRS surcharge rate, paper copies of the order will not be served. We will continue to publish the order in the *Pennsylvania Bulletin* and on the Commission's website.

### Conclusion

The Commission has completed the annual recalculation of the TRS surcharge rate. The TRS surcharge rate for residential and business access lines will remain set at \$0.00 per month for the time period beginning July 1, 2024, through June 30, 2025; **THEREFORE**,

**IT IS ORDERED:**

1. That for the period of July 1, 2024, through June 30, 2025, 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 June 30, 2025.
2. That a copy of this Order be published in the *Pennsylvania Bulletin*.
3. That a copy of this Order be posted to the Commission's website.

**BY THE COMMISSION,**



Rosemary Chiavetta  
Secretary

(SEAL)

ORDER ADOPTED: May 23, 2024

ORDER ENTERED: May 23, 2024