

Notice of Proposed Rule

**PUBLIC SERVICE COMMISSION**

RULE NO.: RULE TITLE:

25-4.160: Operation of Telecommunications Relay Service

PURPOSE AND EFFECT: Rule 25-4.160 would be amended to clarify that county agencies are excluded from paying the Telecommunications Access System Act (TASA) surcharge as set forth in the rule. Docket No. 120043-TP

SUMMARY: Rule 25-4.160 currently excludes federal and state agencies from paying the TASA surcharge as set forth in the rule. This rule amendment would clarify that county agencies are also excluded from paying the TASA surcharge. Moreover, the rule currently refers to persons who are hearing impaired. The rule amendment would change that reference to persons who are deaf or hard of hearing.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based upon the information contained in the SERC.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 427.704(8), FS

LAW IMPLEMENTED: 427.704(4),(5), FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rosanne Gervasi, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6224, rgervasi@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

**25-4.160 Operation of Telecommunications Relay Service.**

(1) For intrastate toll calls received from the relay service, each local exchange and interexchange telecommunications company billing relay calls shall discount relay service calls by 50 percent off of the otherwise applicable rate for a voice nonrelay call except that where either the calling or called party indicates that either party is both deaf or hard of hearing and visually impaired, the call shall be discounted 60 percent off of the otherwise applicable rate for a voice nonrelay call. The above discounts apply only to time-sensitive elements of a charge for the call and shall not apply to per call charges such as a credit card surcharge. In the case of a tariff which includes either a discount based on number of minutes or the purchase of minutes in blocks, the discount shall be calculated by discounting the minutes of relay use before the tariffed rate is applied.

(2) No change.

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(3) To fund the telecommunications access system established under Part II of Chapter 427, F.S., all local exchange telecommunications companies shall impose a monthly surcharge on all local exchange telecommunications company subscribers, excluding federal, ~~and state, and county~~ agencies, on an individual access line basis, except that such surcharge shall not be imposed upon more than 25 basic telecommunications access lines per account bill rendered.

(a) – (c) No change.

(4) No change.

*Rulemaking Authority 427.704(8) FS. Law Implemented 427.704(4),(5) FS. History-New 9-16-92, Amended 4-8-98, \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Bob Casey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 37, No. 40, October 7, 2011

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**Notices Submitted to ACW**

ID	Rule No./ Organization	Rule Title	Section	Issue	Date
<a href="#">11318656</a>	3/20/2012	Florida Public Service Commission	Meeting	3/30/2012 Vol. 38/13	3/21/2012
✓ <a href="#">11315843</a>	25-4.160	Operation of Telecommunications Relay Service	Proposed	3/30/2012 Vol. 38/13	3/21/2012
<a href="#">11316037</a>	3/20/2012	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	3/30/2012 Vol. 38/13	3/21/2012
<a href="#">11281214</a>	3/20/2012	Florida Public Service Commission	Meeting	3/23/2012 Vol. 38/12	3/14/2012
<a href="#">11281408</a>	3/20/2012	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	3/23/2012 Vol. 38/12	3/14/2012
<a href="#">11280826</a>	3/20/2012	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	3/23/2012 Vol. 38/12	3/14/2012

**Notices Confirmed by ACW**

ID	Rule No./ Organization	Rule Title	Section	Issue	Date
		None			

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