

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-4.160,
F.A.C., Operation of Telecommunications
Relay Service.

DOCKET NO. 120043-TP
ORDER NO. PSC-12-0228-FOF-TP
ISSUED: May 4, 2012

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

NOTICE OF ADOPTION OF RULE

NOTICE is hereby given that pursuant to Section 120.54, Florida Statutes, the Florida Public Service Commission has adopted without changes Rule 25-4.160, Florida Administrative Code, Operation of Telecommunications Relay Service.

The rule was filed with the Department of State on May 2, 2012 and will be effective on May 22, 2012. A copy of the rule as filed with the Department is attached to this Notice.

This docket is closed upon issuance of this Notice.

By ORDER of the Florida Public Service Commission this 4th day of May, 2012.



ANN COLE
Commission Clerk
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

RG

DOCUMENT NUMBER-DATE
02861 MAY-4 2012
FPSC-COMMISSION CLERK

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) When a local exchange telecommunications company passes a call to the Florida relay service provider, it shall also forward the calling party's originating telephone number if the calling party's central office has that capability.

(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) A local exchange telecommunications company shall consider an account bill rendered in a manner consistent with its billing practices for other telecommunications services.

(b) Except as otherwise provided by law, the surcharge billed by the local exchange telecommunications companies is not subject to any sales, use, franchise, income, municipal utility, gross receipts, or any other tax, fee, or assessment, nor shall it be considered revenue of the local exchange telecommunications companies for any purpose.

(c) All local exchange telecommunications companies shall include the surcharge as a part of the local service charge that appears on the customer's bill except that the surcharge may be itemized if a company monthly itemizes all local service charges. However, the local exchange telecommunications company shall itemize the surcharge on the initial bill to the subscriber and itemize it at least once annually. The local exchange telecommunications company may deduct and retain 1 percent of the total surcharge amount collected each month to recover the billing, collecting, remitting, and administrative costs attributed to the surcharge. All moneys received by the local exchange telecommunications company, less the authorized amount retained, shall be submitted so as to be received by the

Administrator within fifteen days after the end of the previous month. Each local exchange telecommunications company shall follow the same procedures for collecting this surcharge as for collecting for other regulated telecommunications services.

(4) For purposes of this part, the term "local exchange telecommunications company" shall be defined in Section 427.703(7), F.S. The term shall include shared tenant service providers and competitive local exchange companies.

Rulemaking Authority 350.127(2), 427.704(8) FS. Law Implemented 427.704(4),(5) FS. History—New 9-16-92, Amended 4-8-98, _____.