

Resolution on Telecommunications Relay Service

WHEREAS, On July 26, 1990, Congress passed the Americans with Disabilities Act of 1990, mandating the implementation of interstate telecommunications relay services (TRS) by July 26, 1993, and in a July 1991 order (TRS I), the Federal Communications Commission (FCC) amended its Part 64 rules, establishing TRS (functional, operational and technical) standards and specifying procedures for certification of State relay programs; and

WHEREAS, The National Association of Regulatory Utility Commissioners (NARUC) recommended a shared funding mechanism and administration by the National Exchange Carrier Association (NECA) to the FCC; and

WHEREAS, On February 25, 1993, an FCC order (TRS II) required all interstate voice telecommunications carriers to offer Telecommunications Relay Service throughout their service areas by July 26, 1993, and the order also proposed a shared funding mechanism; and

WHEREAS, On July 20, 1993, an FCC order (TRS III) named NECA as administrator for a 2-year initial period, and directed NECA to establish an advisory council to monitor and advise the administrator on interstate TRS cost recovery matters; and

WHEREAS, In January, 1994, the first interstate TRS advisory council was formed, including representatives of persons who are deaf, hard of hearing and/or speech impaired; TRS users; State representatives; interstate telecommunications providers; and TRS providers. Currently, two State regulators serve on the council, Commission G. Richard KLEIN of Indiana and Commissioner Dukes Scott of South Carolina. The council held meetings in January and April, 1994, and plans to meet again in September, 1994; and

WHEREAS, The NECA will conduct a full TRS provider cost and demand data collection during summer 1994, to develop its annual payment formula for filing with the FCC in October 1994. Additionally, NECA is planning to implement TRS provider audits. Among the issues for the attention of the TRS advisory council at its September meeting will be NECA's provider audit plan; a review of NECA's draft filing with the FCC; NECA's validation of TRS provider data; and expansion of the council to include State TRS administration representatives; and

WHEREAS, TRS cost and cost recovery mechanisms may lead to unanticipated and unreasonable rates in high impact States, where TRS usage significantly exceeds national average TRS usage; and

WHEREAS, The TRS fund has been successfully operational for a year and NECA has been diligent in the administration and in providing staff support to the council; now, therefore be it

RESOLVED, That the NARUC Executive Committee, convened at its 1994 Summer Committee Meetings in San Diego, California, supports continued council involvement with and oversight of the TRS fund, with NECA as the administrator; and be it further

RESOLVED, That the council should continue oversight of the interstate TRS fund and continue to advise the administrator on fund issues in accordance with FCC orders and NECA should continue to administer the TRS fund and provide staff support to the council on a continuing basis; and be it further

RESOLVED, That two State Utility Commission members appointed by NARUC should continue to serve on the council and provide important insight on State relay systems and regulation; and be it further

RESOLVED, That NECA provide information regarding State TRS costs to the council for its review and possible recommendations to the FCC; and be it further

RESOLVED, That the NARUC General Counsel be directed to file this resolution with the FCC.

Sponsored by the Committee on Communications
Adopted July 27, 1994
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