

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Proposed New Rule 4)
CSR 240-3.570 Regarding Eligible)
Telecommunications Carrier Designations)
for Receipt of Federal Universal Service)
Fund Support.)
Case No. TX-2006-0169

STAFF RESPONSE

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), and in response to the Commission’s Order Directing Filing states:

1. On January 13, 2006, the Commission issued an Order Directing Filing that requests responses to the question of whether, as a condition of ETC status, should CMRS providers be required to reimburse the Deaf Relay Fund for costs associated with implementation and maintenance.

47 C.F.R. 64.603 states:

[E]ach common carrier providing telephone voice transmission services shall provide, not later than October 1, 2001, access via the 711 dialing code to all relay services as a toll free call. A common carrier shall be considered to be in compliance with these regulations:

...

(b) With respect to intrastate telecommunications relay services in any state that has a certified program under § 64.605 for such state, if such common carrier (or other entity through which the carrier is providing such relay services) is in compliance with the program certified under § 64.605 for such state.

CMRS providers are required to provide access to 711, but currently do not contribute to the Missouri Relay Fund. CMRS providers are already using the system so no additional usage costs will be incurred. It would be appropriate to require CMRS providers designated as ETCs to reimburse the Deaf Relay Fund for costs associated with maintaining the statewide dual-party

relay system, thereby spreading existing costs over a larger customer base. Staff has contacted the Relay administrator seeking input on the costs associated with maintenance of the system, but has not yet received a response.

2. The Staff proposes the following language to implement the above:

(2) Each request for ETC designation shall include:

(F) For CMRS providers, a statement that as a condition of receiving ETC designation, the CMRS provider commits to monthly reimbursement of the Deaf Relay Fund for costs associated with maintaining the statewide dual-party relay system.

(24) In addition to the information submitted in section (23) above, each competitive carrier designated as an ETC must submit by August 15 of each year:

(G) For CMRS providers, a statement that the CMRS ETC has reimbursed, and will continue to reimburse, the Deaf Relay Fund for costs associated with implementing and maintaining the statewide dual-party relay system.

3. Staff does not have access to information to calculate the fiscal impact to CMRS providers; however, since CMRS providers currently do not contribute to the fund, costs to comply with this requirement will either come from company revenues or from the CMRS customers.

WHEREFORE, the Staff respectfully submits the attached response.

Respectfully submitted,

/s/ Marc Poston

Marc Poston
Senior Counsel
Missouri Bar No. 45722

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-8701 (Telephone)
(573) 751-9285 (Fax)
marc.poston@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 17th day of January 2006.

/s/ Marc Poston
