

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF REVIEWING THE )  
ADMINISTRATOR’S 2023 ANNUAL REPORT ) CASE NO. GNR-T-24-02  
AND ESTABLISHING THE FUNDING )  
LEVELS TO SUPPORT THE )  
TELECOMMUNICATIONS RELAY SERVICE ) ORDER NO. 36179  
(TRS) PROGRAM )  
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On February 20, 2023, the Idaho Telecommunications Relay Service (“TRS”) Administrator, Kathleen Toohill (“Administrator”), submitted the calendar year 2023 Annual Report and the proposed 2024 TRS Budget (“Budget”) to the Commission. On April 10, 2024, an amended Report (“Report”) was filed in coordination with Commission Staff (“Staff”). Each year, the Commission reviews the Administrator’s Annual Report and determines the funding levels needed to meet the TRS program’s future expenses. IDAPA 31.46.02.204.

In this Order, we accept the Administrator’s 2023 Report and the 2024 proposed Budget.

**BACKGROUND**

The Idaho Legislature established the TRS Act in 1992 in accordance with Title IV of the federal Americans with Disabilities Act. The TRS program allows hearing or speech-impaired citizens to engage in telephone communications “in a manner functionally equivalent to that of individuals without hearing or speech impairments.” *Idaho Code* § 61-1301. The Idaho TRS service provider is Hamilton Telecommunications (“Hamilton”). Hamilton operates the relay center where oral conversations are converted or “relayed” to text-type and vice versa. The relay center also provides speech-to-speech, Spanish-to-Spanish, video, and Internet relay services.

The Idaho TRS fund is supported by assessments on local telephone service (residential and business) access lines and on billed intrastate long-distance minutes. Idaho’s TRS fund reimburses Hamilton for in-state relay traffic and captioned telephone (“CapTel”)<sup>1</sup> services and Rolka Loube Saltzer Associates, LLC reimburses Hamilton for interstate calls—including intrastate Internet relays and Internet video relay service.

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<sup>1</sup> CapTel allows hard-of-hearing users to hear the conversation as well as read the words on the phone’s built-in screen. A trained operator “re-voices” the conversation from a caller into the voice recognition technology that converts the words into a text message and provides the CapTel user with a more natural conversation.

## THE 2023 ANNUAL REPORT

The Administrator reported that the relay center handled 1,221 calls in 2023—representing an approximately 11% increase from 2022. The average time it took Hamilton for a call to reach the relay switchboard and be answered by a communication assistant in 2023 was 0.225 seconds for TRS calls and .475 seconds for Caption Telephone Relay Service calls.

1. 2023 Expenses. The TRS expenses for the year totaled \$141,274. Disbursements to Hamilton were \$101,065. The administrative fees and expenses for 2023 were \$40,080<sup>2</sup> The end-of-year fund balance was \$68,872.

2. 2023 Revenues and Allocations. Telephone companies reported a 3.0% decrease in total intrastate long-distance minutes, from about 60,936,000 minutes in 2022 to about 59,148,700 minutes in 2023. Average monthly telephone lines increased by approximately 1.0%, from 87,700 in 2022 to 88,344 in 2023.

The 2023 annual total contribution to the TRS fund was \$112,149 a decrease of \$593 (0.5%) from 2022. In 2023, Local exchange services contributed \$53,006 (47%) and Message Telecommunication Services (“MTS”) and Wide Area Telephone Service (“WATS”) collectively contributed \$59,149 (53%). In Commission Order No. 34988, the per-line rate increased from \$0.03 to \$0.05 effective May 1, 2021. In Order No. 35763, rates remained unchanged at \$0.05 per line and \$0.001 per long-distance minute. The table below shows 2023 TRS contribution sources and amounts.

<b>2023 Revenue sources</b>	<b>Amount</b>	<b>Percentage of Total</b>
Local Service Providers (\$0.05/month/line)	\$53,006	47%
MTS/WATS Providers (\$0.001/min)	\$59,149	53%
<b>TOTAL</b>	<b>\$112,149</b>	<b>100%</b>

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<sup>2</sup> Staff stated that the administrative fees and expenses totaled \$40,209. Staff Decision Memorandum at 4. This slight difference is due to Staff including \$129.00 in Bank Service Charges to the administrative fees and expenses total.

3. Proposed 2024 Budget. The Administrator projects an annual operating budget of \$141,232 in 2024. The budget includes administrative fees and expenses, travel and conference costs, the Hamilton TRS payments, and NASRA annual membership dues.

4. Proposed 2023 TRS Funding Levels. Based on the proposed budget for 2024 and the 2023 end-of-year reserves, the Administrator provided the following four options:

**Option 1:** Continue the present compensation rates to the TRS fund at \$0.05 per line and \$0.001 per long-distance minute.

**Option 2:** Continue with the current long distance per minute rate of \$0.001 while raising the per line rate to a range somewhere around \$0.07 per line to try and level out the contributions to the fund. This would allow the 2024 end-of-year balance to come out to an estimated \$45,000-\$50,000. Further information about how Option 2 would affect rates can be found in Attachment E of the Report. The Administrator recommended this option.

**Option 3:** The Commission could raise both rates—additional details regarding this option can be found in Attachment E of the Report.

**Option 4:** Staff noted that the Commissioner could “look at other creative means of funding beyond landlines and MTS/WATS.” Staff Decision Memorandum at 6. Staff noted what other States have done stating:

According to the most recent data gathered by the NASRA, 29 of 50 states have relay services that are funded by wireless/VoIP line surcharges in addition to landlines. While analyzing the data, the national surcharge is \$0.08 per line per month. These surcharges range from one state (Kentucky) that receives from \$0.01 on all lines – wireline and wireless – while at the higher end, Alaska receives \$0.18 per wireless/wireline. Certain States in the Rocky Mountain Northwestern region, Montana and Oregon, are funded by a monthly \$0.10 wireless and landline surcharges while Wyoming is funded by a \$0.09 surcharge for all wireless and landlines.

*Id.*

### **STAFF RECOMMENDATION**

After reviewing the information filed by the Administrator (and the Administrator’s recommendation), Staff agreed with the Administrator and recommended the Commission adopt Option 2 from Administrator’s Report and projected 2024 budget. Staff believed Option 2—raising only the TRS contributions to \$0.07 per access line per month—was the best option to stabilize the 2024 proposed budget. Staff noted that Idaho citizens continue to be well served by the Administrator and the relay services provided by Hamilton. Staff also noted that the 2024 budget

projection of \$141,232 is reasonable based on the anticipated TRS expenses. Staff explained that the projected revenue—together with the current fund balance—should be enough to meet 2024 expenses and unforeseen events.

### **DISCUSSION AND FINDINGS**

In this Order, the Commission formally adopts the Administrator’s Report. We find the reported expenses for 2023 reasonable. Idaho citizens continue to be well served by the Administrator and the relay services provided by Hamilton. The Commission also finds that the 2024 budget projection of \$141,232 is reasonable based upon the anticipated TRS expenses this year.

Based upon our review of the Report and Staff’s recommendations, we find it is just and reasonable to adopt the Administrator’s Option 2 in as discussed in Staff’s comments. Based on the information currently available, the Commission finds that Option 2 presents the best option as it allows the per minute rate, which appears to be contributing to the fund in a sustainable manner, to remain unchanged while taking a measured step towards sustainability by increasing the per line rate. We find that these steps should provide a sustainable TRS Budget that provides reliable services to Idaho customers.

### **ORDER**

IT IS HEREBY ORDERED that the Commission accepts the Report and 2024 budget.

IT IS FURTHER ORDERED that the 2023 TRS funding level of telephone corporations providing local service in Idaho increase to a rate of \$0.07 per line.

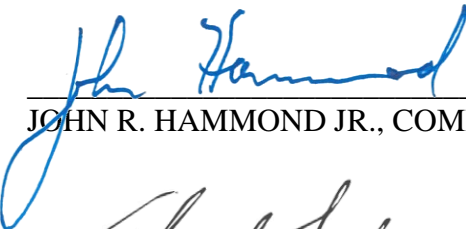
IT IS FURTHER ORDERED that the 2023 TRS funding level for telephone corporations providing intrastate MTS/WATS service remain unchanged at a rate of \$0.001 per long distance minute.

IT IS FURTHER ORDERED that the TRS Administrator continue to monitor expenditures, revenues, and Federal Communications Commission actions. Any time it appears that revenues will not cover expenditures, the TRS Administrator is to immediately notify the Commission so it may evaluate whether TRS funding levels should change.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order about any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *Idaho Code* §§ 61-626 and 62-619.


DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 16<sup>th</sup> day of May 2024.

  
ERIC ANDERSON, PRESIDENT

  
JOHN R. HAMMOND JR., COMMISSIONER

  
EDWARD LODGE, COMMISSIONER

ATTEST:

  
Monica Barrico-Sanchez  
Commission Secretary

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