

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF REVIEWING THE )  
ADMINISTRATOR’S 2020 ANNUAL REPORT ) CASE NO. GNR-T-21-02  
AND ESTABLISHING THE FUNDING )  
LEVELS TO SUPPORT THE )  
TELECOMMUNICATIONS RELAY SERVICE ) ORDER NO. 34988  
(TRS) PROGRAM )**

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On February 16, 2021, the Idaho Telecommunications Relay Service (TRS) Administrator submitted the calendar year 2020 Annual Report and 2021 TRS Budget to the Commission. 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 31.46.02.202 and .205. In this Order we accept the Administrator’s 2020 Report and 2021 Budget. To ensure the longevity of the TRS fund, we increase the per-line assessment from \$0.03 to \$0.05, and the per-minute assessment from \$0.0008 to \$0.001—effective May 1, 2021.

**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. On October 15, 2019, the Commission authorized the Administrator to renew the relay contract with Hamilton, and the contract now runs through November 30, 2022.

The Idaho TRS fund is supported by assessments on local telephone service (residential and business) access lines and on billed intrastate long-distance minutes. In-state relay traffic and captioned telephone (CapTel)<sup>1</sup> services are reimbursed by Idaho’s TRS fund, while the firm of 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 2020 ANNUAL REPORT

The Administrator reported that the relay center handled 2,106 calls in calendar year 2020. This represents a 26% increase from calendar year 2019. The number of CapTel units held steady. The 2020 average answer time by Hamilton was 0.85 seconds (compared to 0.41 seconds in 2019). The increased average answer time was due to greater usage during the global pandemic.<sup>2</sup>

1. 2020 Expenses. The TRS expenses for the year totaled \$163,040. Disbursements to Hamilton were \$123,082. The administrative fees and expenses for the reporting year were \$39,958. The end-of-year fund balance was \$180,934.

2. 2020 Revenues and Allocations. The TRS fund is supported by assessments on local exchange telephone service (residential and business) access lines and on billed intrastate long-distance minutes. Telephone companies reported a 18% decrease in total intrastate long-distance minutes, from about 100,128,800 minutes in 2019 to about 82,015,033 minutes in 2020. Average monthly telephone lines decreased by 41%, from 215,423 in 2019 to 126,760 in 2020.

The 2020 annual total contribution to the TRS fund was \$66,838, a decrease of \$4,889.39 (7%) from 2019. Local exchange services contributed \$32,751 (49%) and MTS/WATS contributed \$34,088 (51%). In Commission Order No. 34615, the per-line and per-minute assessments for 2020 were increased to \$0.03 and \$0.0008, respectively. The table below shows 2020 TRS contribution sources and amounts.

<u>2020 Revenue Sources</u>	<u>Amount</u>	<u>Percentage of Total</u>
Local Service Providers (\$0.03/month/line)	\$32,751	49%
MTS/WATS Providers (\$0.0008/min)	\$34,088	51%
TOTAL	\$66,838	100%

3. Proposed 2021 Budget. The Administrator projects an annual operating budget of \$173,760. The budget includes \$8,350 for a contractually required audit of the TRS fund. If assessment rates remain unchanged, the Administrator calculates the 2021 end-of-year fund balance will continue to have a reasonable reserve (2021 year-end balance is projected to be about \$95,529.83).

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<sup>2</sup> Hamilton was granted an FCC waiver for call answer times beginning March 16, 2020.

4. Proposed 2021 TRS Funding Levels. Based on the proposed budget for 2021 and the 2020 end-of-year reserves, the Administrator provided these options:

Option 1: Continue the present compensation rates to the TRS fund at \$0.03 per line and \$0.0008 per minute. Based on recent trends, there will be about 101,408 lines<sup>3</sup> and 64,811,226 MTS/WATS minutes<sup>4</sup> in 2020. Based on this estimation, revenue to the TRS fund will be \$88,356. With a 2021 budget of \$173,760, the TRS fund's balance will likely decrease to \$95,529.

Option 2: raise the per-line rate from \$0.03 to \$0.05 but continue the per-minute rate at \$0.0008. This option would make the ratio of the revenue coming from lines and minutes about 52/48; the ratio in 2020 was about 49/51. *See* IDAPA 31.46.02.202.02. Assuming there are about 101,408 lines and 64,811,226 MTS/WATS minutes in 2021 (see the calculations in Option 1), Option 2 would result in a 2021 year-end balance of \$119,867—a decrease from 2020's \$180,934 year-end balance.

Option 3: Raise the line charge from \$0.03 per line to \$0.05 per line, and the MTS/WATS minute rate from \$0.0008 per minute to \$0.001 per minute. This option would make the revenue ratio between lines and minutes about 48/52. The 2021 year-end balance would be \$132,829. Option 3 would ensure the longevity of the TRS fund balance.

#### **STAFF RECOMMENDATION**

Staff reviewed the Administrator's Report and recommended that the Commission adopt the Administrator's Report and projected budget for 2021. Staff noted the Idaho citizens continue to be well served by the Administrator and the relay services provided by Hamilton. Staff also noted that the 2021 budget projection of \$173,760 is acceptable based on the anticipated TRS expenses. The projected revenue, together with the current fund balance, should be enough to meet 2021 expenses and any unforeseen events. However, Staff recommended the Commission adopt Option 3, raising TRS contributions to \$0.05 per access line and \$0.001 per MTS/WATS minute. Staff believes this option will help ensure the TRS fund's long-term viability.

#### **DISCUSSION AND FINDINGS**

In this Order, the Commission formally adopts the Administrator's 2020 Annual Report. We find the reported expenses for 2020 are reasonable. Idaho citizens continue to be well

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<sup>3</sup> 2020's line count of 126,760 x 80% = 101,408 due to 20% decrease.

<sup>4</sup> 2020's MTS/WATS minutes of 80,811,226 x 80% = 64,811,226 due to 20% decrease.

served by the Administrator and the relay services provided by Hamilton Telecommunications. The Commission also finds that the 2021 budget projection of \$173,760 is reasonable based upon the anticipated TRS expenses this year.

Based upon our review of the Annual Report and the Staff's recommendations, we find it is just and reasonable to raise the TRS contributions. Left unchanged, TRS contributions are projected to generate \$88,356 of revenue, but the 2021 budget we approve today is \$173,760. While the TRS fund's balance should cover the difference, this is not a long-term solution.

The TRS contributions shall be set at \$0.05 per access line per month and \$0.001 per intrastate MTS/WATS minute. The costs of the TRS program have increased while revenue has continued to decline—due largely to fewer Idahoans having local telephone service access lines. Under *Idaho Code* § 61-1306(5) and IDAPA 31.46.02.000 *et seq*, the Commission must set the formulas apportioning the costs of the TRS program among the telephone corporations that will share the cost of the program. These formulas must provide the TRS fund with adequate revenue for the Administrator and the Commission to fulfill their statutory duties. For the TRS fund to remain viable, the access line and MTS/WATS minute rates must be increased. We remind those telephone corporations required to make these remittances that they may not pass these remittances to customers as a separate line-item surcharge. *See* Order Nos. 24686 and 26541.

The Commission further finds that the projected 2021 allocation between local service and toll service is just and reasonable given the estimated number of access lines and toll minutes.

### **ORDER**

IT IS HEREBY ORDERED that the Commission accepts the Administrator's 2020 Annual Report and 2021 budget.

IT IS FURTHER ORDERED that the 2021 TRS funding obligation of telephone corporations providing local service in Idaho be raised from \$0.03 per month per access line, to \$0.05 per month per access line—effective May 1, 2021.

IT IS FURTHER ORDERED that the 2021 TRS funding obligation for telephone corporations providing intrastate MTS/WATS service be raised from its existing level of \$0.0008 per intrastate billed minute, to \$0.001 per intrastate billed minute—effective May 1, 2021.

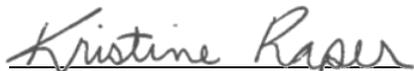
IT IS FURTHER ORDERED that the TRS Administrator continue to monitor expenditures, revenues, and Federal Communications Commission actions. Any time it appears

that revenues will not cover expenditures, the TRS Administrator is to immediately notify the Commission so it may evaluate whether TRS funding obligations 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. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code § 61-626.*

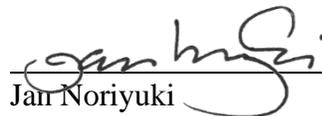
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 7<sup>th</sup> day of April 2021.

  
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PAUL KJELLANDER, PRESIDENT

  
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KRISTINE RAPER, COMMISSIONER

  
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ERIC ANDERSON, COMMISSIONER

ATTEST:

  
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Jan Noriyuki  
Commission Secretary

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