

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-12-0145-NOR-TP  
ISSUED: March 27, 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 RULEMAKING

BY THE COMMISSION:

NOTICE is hereby given that pursuant to Section 120.54, Florida Statutes, the Florida Public Service Commission has initiated rulemaking to amend Rule 25-4.160, Florida Administrative Code, relating to the operation of Telecommunications Relay Service.

The attached Notice of Proposed Rule will appear in the March 30, 2012 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at a time and place to be announced in a future notice.

Written requests for hearing and written comments on the rule must be received by the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later April 20, 2012.

DOCUMENT NUMBER-DATE

01784 MAR 27 2012

FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 27th day of March, 2012.



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ANN COLE  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
[www.floridapsc.com](http://www.floridapsc.com)

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

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE:

25-4.160: Operation of Telecommunication Relay Service.

PURPOSE AND EFFECT: Rule 25-4.160 would be amended to clarify that county agencies are excluded from paying the Telecommunications Access System Act (TASA) surcharge as set forth in the rule.

Docket No. 120043-TP

SUMMARY: Rule 25-4.160 currently excludes federal and state agencies from paying the TASA surcharge as set forth in the rule. This rule amendment would clarify that county agencies are also excluded from paying the TASA surcharge. Moreover, the rule currently refers to persons who are hearing impaired. The rule amendment would change that reference to persons who are deaf or hard of hearing.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE

RATIFICATION: A SERC has been prepared by the agency. Based on the SERC, the agency has determined that this rule amendment will not have an adverse impact on small businesses, will not likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after implementation of the rule, and will not require legislative ratification pursuant to s. 120.541(3), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 427.704(8), FS

LAW IMPLEMENTED: 427.704(4),(5), FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rosanne Gervasi, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6224, rgervasi@psc.state.fl.us  
THE FULL TEXT OF THE PROPOSED RULE IS:

**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) No change.

(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) – (c) No change.

(4) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Bob Casey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 37, No. 40, October 7, 2011.