

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. C-5360
on its own motion, to determine)
the surcharge for the statewide) ORDER SETTING SURCHARGE
Telecommunications Relay System,)
to be effective July 1, 2022.)
) Entered: April 12, 2022

BY THE COMMISSION:

The above-captioned proceeding was opened by the Nebraska Public Service Commission (Commission), on its own motion, to determine the appropriate surcharge for the statewide Telecommunications Relay System (TRS) for the fiscal year beginning on July 1, 2022. The Commission is charged by statute to hold an annual public hearing, prior to April 1 of each year, to determine the amount of surcharge necessary to carry out the provisions of the Telecommunications Relay System Act, Neb. Rev. Stat. §§ 86-301 to 86-315. The surcharge is used to fund the TRS and the Nebraska Specialized Telecommunications Equipment Program (NSTEP) for the coming year.

An order opening the above-captioned docket and setting the hearing was entered on January 19, 2022 and mailed to all interested parties. Notice of the proceeding appeared in The Daily Record, Omaha, Nebraska, on January 21, 2022.

E V I D E N C E

On March 15, 2022, a public hearing was held in this matter in the Commission Hearing Room in Lincoln, Nebraska, and through videoconference. Commission exhibits numbered 1-4 were offered and accepted. Jonathan Smith appeared on behalf of the Commission staff.

Tami Richardson-Nelson, the Chair of the TRS Advisory Committee, submitted a letter to the Commission on February 25, 2022, reporting that the Advisory Committee recommends to the Commission that the surcharge remain at its current level of three cents (\$.03) for the next fiscal year beginning July 1, 2022, based on the forecasts available to the Committee at its meeting on February 25, 2022. This letter was accepted into the record as Exhibit 3.

Steve Stovall, Staff Accountant for the Commission's Communication Department, testified on behalf of the Commission staff. Mr. Stovall offered his pre-filed written testimony, marked

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as Exhibit 4, which included three attachments. The attachments to the written testimony are as follows:

- 1) Supplementary Information - Selected Historical Statistics for the Two Year Period Beginning July 1, 2019 - June 30, 2021 (1 Page);
- 2) Forecast Assumption #1 - Assuming Surcharge Remains at \$.03 for Next Assessment Period (July 1, 2022 - June 30, 2023) (1 Page); and
- 3) Forecast Assumption #2 - Assuming Surcharge Reduced to \$.02 for Next Assessment Period (July 1, 2022 - June 30, 2023) (1 Page).

Based on his analysis, forecasts, and experience as the Commission's administrator of the TRS program, Mr. Stovall recommended that the surcharge remain at three cents (\$.03) for the next fiscal year beginning July 1, 2022.¹ The revenue generated from a two-cent surcharge would not be sufficient to maintain a reliable reserve balance to sustain the program.² Mr. Stovall also noted that the TRS fund could move towards a 2 or 2.5-cent surcharge if invoicing from Verizon became more consistent and the impacts of the COVID-19 Pandemic continued to subside.³

No further witnesses were called, and the hearing was closed following Mr. Stovall's testimony.

O P I N I O N A N D F I N D I N G S

The Commission finds that the recommendations of Mr. Stovall and of the TRS Advisory Committee are reasonable and that the surcharge should remain at three cents (\$.03) for the next fiscal year beginning July 1, 2022.

O R D E R

¹ Transcript at 12-13.

² *Id.* at 16-18.

³ *Id.* at 17-18.

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IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that, pursuant to the Telecommunications Relay System Act, the TRS surcharge should be set at three cents (\$.03) per telephone number or functional equivalent, beginning July 1, 2022.

IT IS FURTHER ORDERED that all affected telecommunications companies are hereby required, beginning July 1, 2022, to collect a three cent (\$.03) surcharge per month on each telephone number or functional equivalent in Nebraska. Except for wireless carriers, the surcharge shall be only collected on the first one hundred telephone numbers, or functional equivalents, per subscriber.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 12th day of April, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chair

ATTEST:


Executive Director