



May 7, 2008

REGULATORY UPDATE

Telecommunications Relay Service System and Relay Service
Fund Proposed Rulemaking at Docket No. L-2008-2020165

Nearly two decades ago, the PUC at Docket No. M-00900239 implemented the Pennsylvania Telecommunications Relay Service System (TRS) and established a TRS funding mechanism. In 1999, the PUC adopted a policy statement at 52 Pa. Code §§ 69.511-69.513 to address the difficulties the PUC was experiencing in collecting the TRS surcharge revenues and managing the TRS fund. Over the past decade, the PUC has relied on the telecommunications industry's voluntary compliance with a LEC's obligation to remit TRS surcharge collection revenues pursuant to the PUC's Policy Statement and as mandated by the Universal Telecommunications and Print Media Access Act.

The PUC now proposes a rulemaking to amend Chapter 63 of Title 52 to codify provisions of the existing Policy Statement at 52 Pa. Code § 63.37 in order to ensure that all LECs are held to the same standards for compliance and enforcement of the regulation and to "give some teeth" to the PUC's oversight.

In addition to codifying language from the Policy Statement, the Proposed Rulemaking adjusts report due dates and revises to whom the filings are made, as summarized in the following Table:

	Existing Policy Statement	Proposed Rulemaking
LEC submission of annual access line summary report	April 30	Change to March 1
LEC submission of annual tracking report	April 30	Change to March 31
LEC Filing Destination	Bureau of Fixed Utility Services	Change to PUC's Secretary's Bureau
PUC Enforcement	Failure to remit timely tracking data <u>may</u> subject LEC to reimbursement obligations for lost revenues and to other remedies including fines and Certificate revocation	Failure to timely and accurately submit a tracking report or access line summary report <u>will</u> subject LEC to reimbursement obligations and PUC will use all available remedies to ensure compliance, including interest on late payments, fines and Certificate revocation

Interested parties have 30 days, or until June 2, 2008, to submit comments to the PUC regarding this Proposed Rulemaking. There will be no opportunity for reply comments. A link to the Notice of Proposed Rulemaking as set forth in the May 3, 2008 *Pennsylvania Bulletin* is provided in the email to which this Memo was attached.

Should you have any questions, please do not hesitate to contact us.