

3 AAC 51.010(a) is amended to read:

(a) The provisions of 3 AAC 51.010 - 3 AAC 51.199 apply to all **providers of any local intrastate telecommunication services** [LOCAL EXCHANGE CARRIERS]. The provisions of 3 AAC 51.010 - 3 AAC 51.199 do not apply to **intrastate interexchange carriers** [CELLULAR RADIOTELEPHONE CARRIERS AND RADIO COMMON CARRIERS].

3 AAC 51.010(b) is amended to read:

(b) The provision of telecommunications relay service (TRS) in accordance with 3 AAC 51.010 - 3 AAC 51.199 is required by the public convenience and necessity to meet the needs of **persons who are** deaf, hard-of-hearing, **or speech disabled** [SPEECH-IMPAIRED, AND ALL OTHER SUBSCRIBERS IN COMMUNICATING WITH EACH OTHER].

3 AAC 51.010(c) is amended to read:

(c) The purpose of 3 AAC 51.010 - 3 AAC 51.199 is to implement the directives of AS 42.05.296 and the Americans with Disabilities Act of 1990 (47 U.S.C. 225) requiring the provision of telecommunications service to allow **persons who are** deaf, hard-of-hearing, or **speech disabled** [SPEECH-IMPAIRED PERSONS AND ALL OTHER SUBSCRIBERS] to communicate **with all other persons and** with each other.

(Eff. 12/2/92, Register 124; am 2/23/2001, Register 157; am 5/16/2020, Register 234)

**Authority:** AS 42.05.141            AS 42.05.296            AS 42.05.321  
AS 42.05.151            AS 42.05.311            AS 42.05.711

3 AAC 51.020(a) is amended to read:

(a) In accordance with the provisions of this section, the commission will issue an order requesting applications for the provision of TRS in this state and specifying the general, business, technical, and financial information to be provided by an applicant. [THE COMMISSION WILL ISSUE ITS INITIAL ORDER REQUESTING TRS APPLICATIONS UNDER THIS SECTION BY MAY 23, 2001].

3 AAC 51.020(e) is amended to read:

(e) In addition to the application information required under (a) of this section, a TRS applicant shall provide documentation that verifies the applicant has

(1) the ability to meet or exceed federal requirements concerning all operational, technical, and functional minimum standards for TRS specified in 47 C.F.R. 64.604 [, issued June 21, 2000]; and

(2) procedures to

(A) solicit input from users of the service and carriers whose customers use TRS;

(B) fairly and expeditiously resolve customer complaints;

(C) develop and implement community outreach and education services and programs; and

(D) provide [FOR TTY EQUIPMENT] distribution **of one or more devices that permit persons who are deaf, hard-of-hearing, or speech disabled** to [CUSTOMERS] **communicate with each other and with persons of normal hearing.**

Eff. 12/2/92, Register 124; am 2/23/2001, Register 157; am 5/16/2020, Register 234

**Authority:** AS 42.05.141            AS 42.05.221            AS 42.05.296  
AS 42.05.151

3 AAC 51.030 is repealed and readopted to read:

**3 AAC 51.030. Requirements of telecommunications relay service provider. (a)**

Following the issuance of a certificate of public convenience and necessity to provide TRS in this state, the provider shall file a tariff that incorporates the terms and conditions specified in its application. The TRS provider shall serve in conformance with its tariff until service expires under the terms of the certificate or until the commission decides otherwise. The TRS provider shall file with the commission, in accordance with 3 AAC 48.095, a monthly report that includes the following information:

(1) the TRS surcharges assessed and the total amount of TRS revenue collected based on the number of voice lines reported by telecommunications carriers under 3 AAC 51.040(k)(1); the report must specify the surplus revenue account balance;

(2) the number of calls processed; the report must specify TRS traffic by number of calls and minutes of use and each category must be further disaggregated by jurisdiction and type of call; for the purpose of this paragraph, "jurisdiction" includes local, intrastate toll, and interstate toll;

(3) the quality of service offered to customers; the report must show conformance with federal speed-of-answer and call-blocking standards specified in 47 C.F.R. 64.604(b)(2).

(b) On or before March 1 of each year, the TRS provider shall file a new proposed outreach and education program budget for the following fiscal year along with a report of its actual expenses for the preceding fiscal year.

(c) The TRS provider shall enter into an escrow arrangement or post a bond with the commission in accordance with the terms and amount specified by the commission in its order issued under 3 AAC 51.020. (Eff. 12/2/92, Register 124; am 2/23/2001, Register 157; am 11/6/2016, Register 220; am 11/22/2017, Register 224; am 5/16/2020, Register 234)

**Authority:** AS 42.05.141 AS 42.05.151 AS 42.05.296

3 AAC 51.040(a) is amended to read:

(a) The commission will establish a TRS surcharge by order and will consider the following criteria:

- (1) the monthly revenue requirement of the TRS provider;
- (2) the estimated number of [RESIDENTIAL, SINGLE-LINE BUSINESS, AND MULTI-LINE BUSINESS] **voice** lines of **providers of local wireline and wireless telecommunications service** [LOCAL EXCHANGE CARRIERS];
- (3) any amounts held by the TRS provider in the surplus revenue account.

3 AAC 51.040(b) is amended to read:

(b) The commission will [SET AN INCEPTION SURCHARGE BY ORDER. AFTER THE INCEPTION SURCHARGE HAS BEEN SET, THE COMMISSION WILL] modify the surcharge whenever necessary to avoid insufficient or excessive money in the surplus revenue account.

3 AAC 51.040(d) is repealed:

(d) Repealed 5/16/2020.

3 AAC 51.040(e) is amended to read:

(e) Each **telecommunications** [LOCAL EXCHANGE] carrier shall list the surcharge as a separate line item on bills for service and entitle it "Universal Access Surcharge."

3 AAC 51.040(f) is amended to read:

(f) Each **telecommunications** [LOCAL EXCHANGE] carrier shall collect the surcharge for each [ACCESS] **voice** line from subscribers of **telecommunications** [LOCAL EXCHANGE] service.

3 AAC 51.040(j) is amended to read:

(j) If sufficient money is not available in the surplus revenue account to cover the underrecovery in a given month, the TRS provider may assess an interest charge on the unrecovered amount. The interest charge is assessable at the rate of **0.0287**[0.0287] percent per day and collectible by the TRS provider in the next month in which sufficient money is available.

The introductory language of 3 AAC 51.040(k) is amended to read:

(k) Each **telecommunications** [LOCAL EXCHANGE] carrier shall disburse surcharge collections on a monthly basis to the TRS provider in the following manner:

3 AAC 51.040(k)(1) is amended to read:

(1) by the 10th calendar day of each month, or the next working day if the 10th falls on a Saturday, Sunday, or bank holiday, each **telecommunications** [LOCAL EXCHANGE] carrier shall pay to the TRS provider surcharge revenues collected from [TELEPHONE] subscribers; each **telecommunications** [LOCAL EXCHANGE] carrier shall send a report, with the payment, showing the number of **wireless** [RESIDENTIAL LINES, SINGLE-LINE BUSINESS LINES, AND MULTI-LINE BUSINESS] **and wireline voice** lines to which a surcharge was assessed; the report must also include the number of uncollectible surcharges and the amount collected from previous months' uncollectible surcharges, separated by each month; (Eff. 12/2/92, Register 124; am 2/23/2001, Register 157; am 11/6/2016, Register 220; am 10/27/2017, Register 224; am 5/16/20, Register 234)

**Authority:** AS 42.05.141                      AS 42.05.296                      AS 42.05.321  
AS 42.05.151                      AS 42.05.311

3 AAC 51.199(a)(9) is amended to read:

(9) "telecommunications relay service" or "TRS" means a telephone transmission service that provides the ability for an individual who is deaf, hard-of-hearing, or **speech disabled** [SPEECH-IMPAIRED] to engage in communication by wire or radio with a hearing individual in a manner that is functionally equivalent to the ability of an individual who is not deaf, hard-of-hearing, or **speech disabled** [SPEECH-IMPAIRED] to communicate using voice communication services by wire or radio; "TRS" includes services that enable two-way

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communication between an individual who uses a **relay device** [TTY OR OTHER NONVOICE TERMINAL DEVICE] and an individual who does not use such a device;

3 AAC 51.199(a)(10) is repealed:

(10) Repealed 5/16/2020.

(Eff. 12/2/92, Register 124; am 2/23/2001, Register 157; am 5/16/2020, Register 234)

**Authority:** AS 42.05.141 AS 42.05.151 AS 42.05.296