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Director

Legislative Services Office

Idaho State Legislature

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MEMORANDUM

TO: Senators MCKENZIE, Lodge, Stennett and,
Representatives LOERTSCHER, Batt, Smith

FROM: Mike Nugent - Division Manager

DATE: July 07, 2016

SUBJECT: Temporary Rule

IDAPA 31.46.02 - Rules for Telecommunications Relay Services (TRS) - Adoption of Temporary Rule
- Docket No. 31-4602-1601

We are forwarding this temporary rule to you for your information only. No analysis was done by LSO. This rule is posted on our web site. If you have any questions, please call Mike Nugent at the Legislative Services Office at (208) 334-4834. Thank you.

Attachment: Temporary Rule

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IDAPA 31 - IDAHO PUBLIC UTILITIES COMMISSION
31.46.02 - RULES FOR TELECOMMUNICATIONS RELAY SERVICES (TRS)
DOCKET NO. 31-4602-1601
NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is May 1, 2016.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 61-1306, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

Telecommunication Relay Services (TRS) enable a communications-impaired person to send and receive messages to and from a non-communications-impaired person, using specialized telecommunications equipment. The Commission contracts with a TRS Administrator that requests and evaluates proposals from TRS providers that wish to enter a contract to be a TRS provider for Idaho. The temporary rule was needed to enable the Administrator to proceed with securing a TRS provider, thus ensuring that TRS services could continue. Idaho's TRS program ensures the health, safety, and welfare of deaf and hearing-impaired citizens in Idaho. Without a TRS program, an emergency situation can become fatal if, for example, a hearing-impaired person cannot communicate with first-responder personnel. The Commission understands that this rule may change as a result of the later negotiated rule process.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section(s) 67-5226(1)(a), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate to ensure protection of the public health, safety and welfare, specifically Idaho's deaf and hearing-impaired community.

FEE SUMMARY: No fee or charge is imposed or increased by the temporary rule.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Grace Seaman at (208) 334-0352.

DATED this 2nd day of June, 2016.

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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 31-4602-1601
(Only Those Sections With Amendments Are Shown.)

103. ESTABLISHMENT OF TELEPHONE INDUSTRY ADVISORY COMMITTEE (RULE 103).

01. Establishment of Committee. The Commission hereby establishes a telephone industry advisory committee with which the administrator shall consult in ~~the formulation of a Request for Proposals (RFP) for telecommunications relay services (TRS),~~ the assessment of responses to the RFP, and ~~the review of the quality of~~ services provided. The industry committee shall have ~~seven~~ three (3) members, who shall be representatives of:
(7-1-93)(5-1-16)T

a. ~~U-S WEST Communications, Inc., (the largest provider of local exchange and intraLATA MTS services in the southern Idaho LATA and in the lower Clearwater drainage associated with the Spokane LATA), which is hereby appointed to a permanent seat on the committee;~~
(7-1-93)(5-1-16)T

b. ~~GTE Northwest Incorporated, (the provider of local exchange service and intraLATA MTS in northern Idaho), which is hereby appointed to a permanent seat on the committee;~~
(7-1-93)

e. ~~Two (2) An independent telephone companies~~ that provides local exchange services and is a member of to be appointed from nominees recommended by the Idaho Telephone Association (the trade group that includes independent telephone companies in Idaho); and
(7-1-93)(5-1-16)T

d. ~~AT&T Communications of the Mountain States, Inc. (the principal interLATA MTS carrier in Idaho), which is hereby appointed to a permanent seat on the Committee;~~ The Idaho State Council for the Deaf and Hard of Hearing, or the State Council on Developmental Disabilities.
(7-1-93)(5-1-16)T

e. ~~MCI Telecommunications Corporation (an MTS carrier that has expressed great interest in the TRS rulemaking), which is hereby appointed to a permanent seat; and~~
(7-1-93)

f. ~~One other MTS carrier that is not a local exchange company (e.g., Sprint, Northwest Teleco).~~
(7-1-93)