

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25M-0157T

IN THE MATTER OF ADJUSTMENT TO THE MONTHLY SURCHARGE
FOR PROVIDING SERVICES FOR TELEPHONE USERS WITH DISABILITIES.

**COMMISSION DECISION
INCREASING THE UNIFORM CHARGE FOR EACH
APPLICABLE ACCESS LINE TO SIX CENTS PER MONTH**

Issued Date: April 8, 2025

Adopted Date: April 2, 2025

I. BY THE COMMISSION

A. Introduction

1. By this Decision, the Commission adopts a Telecommunications Relay Service Surcharge (“Uniform Charge”) rate of 6 cents, effective June 1, 2025.

B. Background

2. Statute establishes that the Commission “shall, through the promulgation of rules, develop and implement a mechanism to recover its costs and the cost to voice service providers in implementing and administering telecommunications relay services required by this article 17.” § 40-17-103(3), C.R.S.

3. Statute further directs the Commission to set a monthly surcharge not to exceed 15 cents sufficient to meet the following needs:

- reimbursing the Commission for its costs in developing, implementing, and administering telecommunications relay service (“TRS”);
- reimbursing voice service providers for their administrative costs in imposing and collecting the surcharge; and
- covering the costs of providers rendering the TRS service.

4. Statute further establishes these additional purposes for the fund that the surcharge rate must accommodate:

- cover annual appropriations made pursuant to § 40-17-104, C.R.S., to the reading services for the blind cash fund through the State Librarian, as set forth in § 24-90-105.5, C.R.S., administered by the Colorado Department of Education;
- provide support for library services as authorized by § 24-90-105(1)(e), C.R.S.;
- cover annual appropriations made pursuant to § 40-17-104, C.R.S., to the Colorado Commission for the Deaf and Hard of Hearing Cash Fund, as set forth in § 26-21-107, C.R.S., administered by the Colorado Department of Human Services; and
- provide support for auxiliary services in rural areas as authorized by § 26-11-106(9), C.R.S.

5. The Commission's rules implementing this statute may be found at 4 *Code of Colorado Regulations* ("CCR") 723-2-2820, *et seq.*, of the Commission's Rules Regulating Telecommunications Services and Providers of Telecommunications Services.

6. Pursuant to Rule 4 CCR 723-2-2827(a), the Commission "shall determine, and by appropriate order, impose a uniform charge on each commercial and residential access line in a uniform amount." Further, Rule 4 CCR 723-2-2827(b) provides:

(II) The uniform charge imposed pursuant to § 40-17-103(3)(a), C.R.S., shall be billed monthly to each access line provided by each voice service provider.

(V) The uniform charge shall be listed as a separate item appearing on each customer's monthly billing statement as rendered by each voice service provider. The charge shall be listed as the "Colorado Telecommunications Relay Service Surcharge."

7. Pursuant to Rule 4 CCR 723-2-2827(b)(VII), effective "January 1, 2021, each voice service provider shall remit the amount the provider collected for the previous month, less the applicable vendor fee, no later than the last day of the following month." All uniform charge remittances shall be submitted to the TRS custodial receiver directly.

C. Budget Projections

8. The current uniform charge of 3 cents has been in effect since April 1, 2023. *See* Decision No. C23-0081 in Proceeding No. 23M-0059T, issued February 1, 2023. Since the current uniform charge was in effect, certain trends and events have taken place, including an additional \$600,000 appropriated from the fund to the Colorado Commission for the deaf, hard of hearing, and deafblind cash fund, a transfer of \$200,000 from the fund pursuant to Senate Bill 25-264 which requires the state treasurer to transfer money from certain cash funds to the general fund, and an increase in administrative cost to the TRS program administered by the Commission.

9. Commission rules indicate that it is the obligation of the Commission to adjust the uniform charge, if necessary. 4 CCR 723-2-2827(a).

10. Staff has projected revenues and expenses, including annual appropriations, for the next 18 months.

11. Considering the revenue and expenditure projections for Fiscal Year 2024 to 2025 and 2025 to 2026, the Commission finds it necessary and appropriate to increase the uniform charge on each eligible access line beginning June 1, 2025. The current uniform charge of 3 cents per access line per month shall be increased to 6 cents per access line per month to pay all expenses, as well as transfer funds to the appropriate agencies as appropriated by the Legislature pursuant to § 40-17-103, C.R.S., and to maintain a fund balance compliant with § 24-75-402(2)(a), C.R.S.

II. ORDER**A. The Commission Orders That:**

1. Effective June 1, 2025, the Uniform Charge imposed upon each telephone access line to fund the Telephone Users with Disabilities Fund is increased from 3 cents per access line per month to 6 cents per access line per month to comply with the requirements of § 40-17-103(3) and § 24-75-402(2)(a), C.R.S.

2. No later than 30 days after the end of each month, each voice service provider shall remit as directed by the Commission the amount due based on the preceding month and remit directly to the TRS custodial receiver.

3. The uniform charge of 6 cents per month shall be included in each applicable subscriber's bill as a separate line item and shall be listed as the "Colorado Telecommunications Relay Service Surcharge."

4. The 20-day time period provided for by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration begins on the first day after the mailing of this Decision.

5. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING ON
April 2, 2025.**