

**ADOPTED REGULATION OF THE
PUBLIC UTILITIES COMMISSION OF NEVADA**

LCB File No. R071-13

Effective December 23, 2013

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 427A.797 and 703.025.

A REGULATION relating to telecommunications; revising provisions relating to the submission of certain reports and money collected as surcharges for the program to provide devices for telecommunication to persons with impaired speech or hearing; and providing other matters properly relating thereto.

Section 1. NAC 707.030 is hereby amended to read as follows:

707.030 ~~Not~~ *Not* later than January 31 ~~and~~, *April 30*, July 31 *and October 31* of each year, each carrier shall submit to the Commission, for the ~~6~~ *3* full months immediately preceding that date, the money collected as the surcharge and a report containing the following information:

1. The name and address of the carrier;
2. The amount of the surcharge for each line of access;
3. The total number of lines of access;
4. The amount of the surcharge collected; and
5. The amount of the surcharge to be submitted to the Commission.

↪ Each carrier may submit the money collected with an appropriate report more frequently than ~~twice a year.~~ *quarterly.*

NOTICE OF ADOPTION OF REGULATIONS

The Public Utilities Commission of Nevada adopted permanent regulations assigned LCB File No. R071-13 (Docket No. 12-01004) which pertain to chapters 703 and 704 of the Nevada Administrative Code on November 8, 2013. A copy of the permanent regulations as adopted is attached.

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS 233B.066 LCB FILE R071-13 (DOCKET NO. 12-01004)

1. A clear and concise explanation of the need for the adopted regulation.

This regulation streamlines the telecommunications device for the deaf reporting and payments requirements for telecommunication providers.

2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Copies of the proposed regulations, notice of intent to act upon the regulation and notice of workshop and hearing were sent by U.S. mail and email to persons who were known to have an interest in the subjects of noticing and interventions. These documents were also made available at the website of the Public Utilities Commission of Nevada ("PUCN"), <http://puc.nv.gov>, mailed to all county libraries in Nevada, published in the following newspapers:

Elko Daily Free Press
Las Vegas Review Journal
Nevada Appeal
Reno Gazette Journal
Tonopah Times-Bonanza,

and posted at the following locations:

Public Utilities Commission 1150 East William Street Carson City, Nevada 89701	Public Utilities Commission 9075 West Diablo Drive, Suite 250 Las Vegas, Nevada 89148
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First Judicial District Court 885 East Musser Street Carson City, Nevada 89701	Second Judicial District Court 75 Court Street Reno, Nevada 89501
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Eighth Judicial District Court
Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89155

AT&T Nevada (comprised of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale, SBC Long Distance, LLC d/b/a AT&T Long Distance. AT&T Corp., Teleport Communications America, LLC, BellSouth Long Distance, Inc., and SNET America, Inc. d/b/a AT&T Long Distance East, together with New Cingular Wireless PCS, LLC d/b/a Cingular Wireless), Central Telephone Company d/b/a CenturyLink and CenturyTel of the Gem State, Inc. d/b/a CenturyLink, the Attorney General's Bureau of Consumer Protection, and the Regulatory Operations Staff all advocated changes that would streamline the telecommunications device for the deaf reporting and payments requirements for telecommunication providers. Copies of the transcripts of the proceedings are available for review at the offices of the PUCN, 1150 East William Street, Carson City, Nevada 89701 and 9075 West Diablo Drive, Suite 250, Las Vegas, Nevada 89148.

3. The number of persons who:
 - (a) Attended each hearing: October 23, 2013 - 3
 - (b) Testified at each hearing: October 23, 2013 - 0
 - (c) Submitted to the agency written comments: 3

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

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PUCN Staff Counsel

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses in the same manner as they were solicited from the public.

The summary may be obtained as instructed in the response to question #1.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The permanent regulations were adopted on November 8, 2013. Changes were not made to the proposed regulations.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and
- (b) Both immediate and long-term effects.

Both adverse and beneficial effects:

The proposed regulation will not have an immediate adverse effect. While the proposed regulation annually doubles a carrier's telecommunications device for the deaf ("TDD") reporting requirements, the proposed regulation will not impose a direct and significant burden on small businesses and will not directly restrict the formation, operation, or expansion of small business. The TDD surcharge must be billed by the carrier to its customers on a monthly basis, so the information to be reported to the PUCN in the TDD reports and the TDD surcharge funds collected by each carrier should be readily available within a carrier throughout the year, making additional reporting and pass-through of collected TDD surcharge funds only an insignificant increase in workload for small business. The TDD report forms and process for submitting the report and payment will be the same, and two ways to submit the TDD surcharge payments, neither of which includes a fee, are offered by the PUCN. Carrier's feedback indicates that carriers prefer the quarterly TDD report and payment schedule as it allows carriers to pay smaller portions at a time and the carriers find it easier to remember the quarterly deadlines than biannual deadline.

Both immediate and long-term effects:

See Item # 5(a).

8. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of these regulations.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

These regulations do not overlap or duplicate any federal, state, or local regulations.

8. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

N/A

10. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

N/A

11. If the proposed regulation is likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business? What methods did the agency use in determining the impact of the regulation on a small business?

The PUCN has determined that the proposed regulation does not impose a direct and significant economic burden upon a small business or restrict the formation, operation or expansion of a small business. In making this determination, the PUCN adopted the findings of Staff, which conducted a Delphi Method exercise to determine the impacts. The Delphi Method is a systematic, interactive, forecasting method based on independent inputs of selected experts.