

# PROPOSED REGULATION OF THE PUBLIC UTILITIES COMMISSION OF NEVADA

LCB File No. R070-15

August 20, 2015

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

**Section 1.** NAC 707.020 is hereby amended to read as follows:

**NAC 707.020** Surcharge for program to provide ~~{devices for telecommunication to}~~ *services for persons with impaired speech or hearing.* (NRS 427A.797, 703.025)

1. *Each year, the Commission will establish the amount of surcharge for an upcoming period to fund the program developed pursuant to NRS 427A.797 by the Aging and Disability Services Division of the Department of Health and Human Services. The surcharge shall be calculated by the Commission based on the approved annual program budget submitted to the Commission by the Aging and Disability Services Division of the Department of Health and Human Services.*

2. *On or before February 1 of each year, the Aging and Disability Services Division of the Department of Health and Human Services shall file an application with the Commission containing its approved annual program budget and requesting calculation of the surcharge.*

3. *On or before March 1 of each year, the Regulatory Operations Staff shall file its calculation of the surcharge with the Commission based on the approved annual program budget submitted pursuant to subsection 2. Within 10 days after the Regulatory Operations Staff files its calculation of the surcharge, any party or interested person may file comments on the proposed surcharge and any party may request a hearing on the matter. If no request for a hearing is received by the Commission, it will dispense with a hearing and act upon the matter unless it finds that a hearing is necessary or required by statute.*

4. On or before June 1 of each year, the Commission ~~{, after an investigation and hearing,}~~ will notify each carrier of the amount of the surcharge to be assessed and collected for the period from July 1 of that year to June 30 of the next year from each of its customers for the program developed pursuant to NRS 427A.797 by the Aging and Disability Services Division of the Department of Health and Human Services. The surcharge will be assessed ~~{for each line of access}~~ *by each carrier pursuant to NRS 427A.797* and will be either a percentage of the basic charge for service to the customer or an equal amount for each customer in a class of customers. ~~{An intraexchange carrier may not list the surcharge as a separate item on the customer's bill unless the intraexchange carrier demonstrates to the Commission that it would be unduly burdensome to comply with this provision.}~~

~~—2.—The Commission, upon its own motion or upon the petition of an interested person for good cause shown, will conduct a hearing to evaluate the reasonableness of the surcharge currently in effect.~~

~~—3}~~**5.** The surcharge must be billed by each carrier to its customers on a monthly basis.

---REPEALED SECTION---

~~[NAC 707.050 — Review by Commission of program to provide devices for telecommunication to persons with impaired speech or hearing. (NRS 427A.797, 703.025) — The Commission will review and approve or disapprove the program developed pursuant to NRS 427A.797 by the Aging and Disability Services Division of the Department of Health and Human Services at the hearing held by the Commission each year to determine the amount of surcharge for an upcoming period.]~~