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TACIP

'Overcoming Barriers'
1992 Annual Report

Telecommunications Access for Communication-Impaired Persons

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TACIP

Telecommunications Access for Communication-Impaired Persons

State of Minnesota



Sixth Annual Report to the Minnesota Public Utilities Commission

December 31, 1992

'...We had many meetings. We made contact with a variety of Legislators, and it was a very new experience for the Deaf community to be dealing directly with the legislators...we worked until May of 1987, and TACIP law finally passed, at last. The Governor signed it into law, and it was a really important moment for the Deaf community...(now) things have gotten much better and we feel like we're on an equal footing with all people.'

-- Robert D. Cook, Consumer & Former TACIP Board Chair

This report is dedicated to the people and organizations whose commitment and hard work made the TACIP Board and its programs possible.

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EXECUTIVE SUMMARY

Created by statute in 1987, the Telecommunications Access for Communication-Impaired Persons (TACIP) Board is continuing to fulfill its task of making the Minnesota telephone network fully accessible to communication-impaired persons (both hearing- and speech-impaired). The Board carries out this task through two programs, the Equipment Distribution Program and the Minnesota Relay Service. In brief, the distribution program provides specialized telecommunications equipment to eligible hearing- and speech-impaired persons which enables them to access the telephone network. The relay service allows a person using a Telecommunications Device for the Deaf (TDD) to communicate with any other telephone user. Since the inception of the two programs, over eleven thousand telecommunication devices have been distributed without charge to over 7500 individuals; over 2.4 million calls have been placed through the relay service for communication-impaired callers.

The TACIP Board has twelve members by statute appointed by the Governor. The Board reports annually to the Public Utilities Commission (PUC); this is its sixth report. TACIP's programs are funded by a ten-cent monthly surcharge on each telephone customer access line in Minnesota.

The current TACIP legislation "sunset" on June 30, 1993. The Board has developed legislative proposals which are now being considered by the PUC. The Commission will make a recommendation to the legislature by February, 1993 for the future provision and maintenance of the services.

Revisions to the TACIP legislation take into consideration the requirements mandated by federal statute, the Americans with Disabilities Act (ADA). The ADA requires each state to provide a telecommunications relay service for speech- and hearing-impaired persons that complies with standards of operation established by the Federal Communications Commission (FCC). The FCC also encourages states to provide equipment distribution programs.

This report presents information on the work of the TACIP Board and its two programs, provides financial and statistical data on its operations, and contains specific recommendations, previously submitted to the PUC, for the continuation of the programs.

1.000 INTRODUCTION

The mission of the TACIP Board is to improve accessibility to the telecommunications network for Minnesotans with communication-impairments. The TACIP Board accomplishes this objective through the Equipment Distribution Program (EDP) and the Minnesota Relay Service (MRS). The EDP distributes a variety of specialized telecom-

munication devices to eligible communication-impaired persons throughout the state. The MRS provides a statewide telecommunications relay service that offers a means of communication between the users of TDDs and all other telephone users.

The Minnesota Legislature and the PUC had the foresight to address the telecommunication needs of communication-impaired persons long before most other states established similar programs and before telephone access was mandated by the federal government through Public Law 101-336, signed into law July 26, 1990, the Americans with Disabilities Act (ADA). Title IV of the ADA (Telecommunications) declared that by July 26, 1993, each state must provide a telecommunications relay service for hearing- and speech-impaired persons 24 hours a day, seven days a week as regulated by the FCC. During 1992, the TACIP Board has dedicated much of its time to studying the implication of the FCC regulations and orders; learning more about what other states are doing in response to the new rules; and beginning the certification process required by the FCC.

1.100 TACIP Board

The Board was created by statute in 1987 (Minnesota Statutes Chapter 237, Telephone and Telegraph Companies, Division 237.50-237.56, pages 5473 to 5477).

The purpose of the TACIP Board is to make the telephone network in Minnesota accessible to communication-impaired persons (both hearing- and speech-impaired). The two programs that were established to accomplish this purpose, the Equipment Distribution Program and the Minnesota Relay Service, are funded by a ten-cent surcharge on each telephone customer access line in Minnesota. The Board is responsible for the setting of policy, development of services, and the execution of contracts for the provision of services.

1.110 Board Membership

The Board has twelve members by statute: five consumer representatives; one professional in the area of communication disabilities; the Commissioner of the Department of Human Services or appointed representative thereof; the Commissioner of the Department of Administration or appointed representative thereof; one representative from the telephone company providing local exchange service to the largest number of people; a representative from the Minnesota Telephone Association; one person representing the interLATA interexchange telephone service and one person representing the organization operating the MRS.

At the conclusion of 1992, TACIP Board membership consisted of:

James Beutelspacher,
representing the Department of Administration;

Anyes deHorst Eames,
a communication-impaired consumer;

Mary Hartnett,
representing the organization operating the relay service;

Krisele Hass,
a communication-impaired consumer;

Luanne Kowalski,
a communication-impaired consumer;

Dwight Maxa,
representing the Department of Human Services;

Sandra Morgan,
a communication-impaired consumer;

Douglas L. Morton,
representing the Minnesota Telephone Association;

Linda Sadler,
representing the telephone company providing local exchange service
to the largest number of people; and

Linda Wasilowski,
a communication-impaired consumer.

Members who left the Board in 1992 were:

JoAnn Anderson, representing the interLATA exchange companies;

Lillian Brion, representing the Department of Public Service;

Michael Cashman, a communication-impaired consumer;

Robert Cook, a communication-impaired consumer;

Paul Hoff, representing the Minnesota Telephone Association; .

Barbara Illsley, professional in the field of communication
impairment;

Paula Mathews, a communication-impaired consumer;

Jerome J. Niemann, representing the interLATA exchange companies;

Leslie Peterson, a communication-impaired consumer;

Mark Prowatzke, representing the Department of Human Services;
and

Barry Siebert, representing the organization operating the relay service.

**1.120
Administrative
Changes**

At the beginning of 1992, the TACIP offices were located within the Department of Public Service. Bill Lamson was serving as the Interim Administrator following the resignation of Herb Pickell in September 1991.

After receiving a report from the Search Committee, the Board appointed Bill Lamson as Administrator effective June 15, 1992.

As a result of a change in the TACIP statute during the 1992 legislative session, the TACIP offices moved from the Department of Public Service to the Department of Administration in August, 1992.

**1.200
Purpose of Report
and Role of
Commission**

The role of the Minnesota PUC has been summarized in state statute (MN Stat. 237.50 - 237.56) and in several PUC orders [Order Retaining Current Surcharge Level, Accepting Fourth Annual Report, Requiring Further Filings, and Closing Dockets P-3008/M-90-1188 and P-3008/NA-89-140].

The PUC's responsibilities are:

1. To review and approve the Board's plans to initiate service;
2. To determine annually the amount of the surcharge;
3. To monitor the program and recommend necessary changes to the legislature;
4. To receive annual reports from the Board; and
5. To make a final recommendation to the legislature on or before February 1, 1993 regarding what form the program should take in the future.

**1.210
Information
Requested by the
Commission**

The PUC requested specific information from TACIP in its Order of March 1, 1991:

- Board analysis of whether future expenses can or should be reduced, whether future revenues can or should be increased, whether projected changes in usage levels of TACIP services will materially affect revenues or expenses, and whether any changes in the TACIP statute are necessary to ensure continued provision of adequate services.

- Board itemization of toll charges paid by TACIP attributable to completing calls which would have been toll calls had the calling party been able to contact the called party directly.
- Board description of current technical barriers to implementing a billing and collection system for the calls which would have been toll calls had the calling party been able to contact the called party directly.
- Board proposal for implementation of a billing and collection system, if feasible, for calls which would have been toll calls had the calling party been able to contact the called party directly.
- Board analysis of the volume of intrastate and incoming interstate toll calls which would be required for each billing and collection system considered by the Board to be cost-effective.
- Board analysis of the relative advantages of continuing to absorb intrastate and incoming interstate toll charges versus billing telecommunications relay service users.
- Board notification of the Commission the month following any absorption of intrastate and incoming interstate toll charges exceeding \$5,000.

**2.000
TACIP
OPERATIONS**

The TACIP Board meets at least four times each year to review program operations and respond to the need for executive oversight. The Board also develops program policies and administrative rules for the TACIP programs.

**2.100
TACIP Board and
Committees**

The TACIP Board's officers consist of a Chair and a Vice Chair. As of the end of 1992, the office of the Chair was vacant; Sandra Morgan was Vice Chair.

The Board met eight times during calendar year 1992. Between Board meetings, the four regular committees met to consider and recommend actions on various issues and to make reports to the Board for action. These committees met a total of twenty-five times during calendar 1992.

**2.110
Executive
Committee**

The Executive Committee provides oversight of the day-to-day operations of the TACIP Board. Executive decisions on an *ad hoc* basis are typically delegated to the Executive Committee by the full Board. The Executive Committee is composed of the TACIP Chair and Vice Chair and three other members elected by the Board. The present members are: Sandra Morgan, Vice Chair, and members Douglas L. Morton, Linda Sadler, and Linda Wasilowski. The Chair position is vacant at the present time.

**2.120
Equipment
Distribution
Committee**

The Equipment Distribution Committee studies specific issues related to the distribution program as administered by the Deaf Services Division of the Department of Human Services. This committee has as its Chair Anyes deHorst Eames; other members are Sandra Morgan and Linda Wasilowski. As EDP Coordinator, Lauren Hruska provides technical assistance to the committee.

**2.130
Legislative
Committee**

The Legislative Committee had a particularly important responsibility this year as it developed recommendations to the Board for the new legislation necessary to continue the TACIP programs after the June 30, 1993 sunset date. The Legislative Committee extended invitations to representatives from the Minnesota Association of Deaf Citizens (MADC) and the Self Help for Hard of Hearing People (SHHH) Minnesota Chapter to gain perspectives from those segments of the consumer population served by TACIP programs. Board members on the committee are: James Beutelspacher, Anyes deHorst Eames, Mary Hartnett, Luanne Kowalski (former MADC representative, now Board member), Dwight Maxa, Sandra Morgan, Douglas L. Morton, and Linda Sadler. The non-Board members on the committee are Mary Bauer and Patti Kensy, designated representatives from SHHH, and Lauren Hruska, EDP Coordinator. TACIP Administrator Bill Lamson facilitated the meetings.

**2.140
Message Relay
Committee**

The Message Relay Committee has six members: James Beutelspacher, Anyes deHorst Eames, Mary Hartnett, Sandra Morgan, Linda Sadler, and the Chairperson, Linda Wasilowski. The Committee provides a vehicle for the Message Relay Service contractor to work together with TACIP. This Committee is currently studying the needs of the MRS for new and evolving technology as it prepares for certification by the Federal Communications Commission.

**2.150
Search
Committee**

In addition to the regular committees, a Search Committee was formed in early 1992 to look for suitable candidates for the position of Board Administrator which had become vacant in September 1991. A national search was conducted over a period of four months, and the Committee met eight times during the year before making its recommendation to the TACIP Board.

**2.200
Major Activities
of the Board in
1992**

The year 1992 was very busy for the Board due primarily to the turnover of Board members and staff, the issuance of the FCC rules for Telecommunications Relay Services (TRS), and the need to develop legislative recommendations to the PUC for the continuation of the TACIP programs.

In other business, the Board:

- Directed the Search Committee to conduct a national search to fill the Administrator Position. Upon the recommendation of the Search Committee, the Board approved the appointment of Interim Administrator Bill Lamson to position of Administrator effective June 15, 1992.
- Negotiated and approved contracts for the provision of the EDP and MRS services and an Interagency Agreement with the Department of Administration.
- Drafted and presented legislation that amended the TACIP statute granting the Board authority to advance funds to its service providers and changing the statutory reference that governs the way Board members are appointed.
- Approved and conducted a series of public meetings around the state to determine how consumers and other interested individuals felt about EDP and MRS services and to receive suggestions on the future of TACIP. Meetings were held in St. Paul, Mankato, Fergus Falls, and Duluth.
- Approved and conducted surveys of equipment distribution programs and telecommunications relay services. The results of this research appear in section 2.210 of this report and the survey summaries will be found in Appendices A and B of this report.

- Submitted a request to the FCC for certification of the Minnesota Relay Service. This document reports those areas where TACIP programs are currently in compliance with FCC regulations, and steps that need to be taken to meet the other requirements by the July 26, 1993 deadline. The request for FCC certification is included in this report as Appendix C.
- Considered, modified and accepted the amended changes to the TACIP Statute (Minnesota Statutes 237.50 through 237.56) made by the Legislative Committee. The recommendations were then submitted to the PUC as required by the TACIP statute and appear as Appendix D of this report.
- Conducted a study of intrastate long distance calls placed through the MRS and the costs to the Board, and approved a plan for the establishment of a billing system.
- Approved management restructuring and additional staff for the MRS.

2.210 Surveys Undertaken

To determine how the Minnesota programs compared to programs in other states, the Board conducted two surveys of telecommunications relay services and equipment distribution programs during 1992. Both surveys were conducted over the telephone; the data collected was then sent back to the respondents to verify the accuracy of the information. Corrections were incorporated into survey results.

The telecommunications relay survey (TRS) showed that Minnesota operates one of the lowest cost relays of the twenty-three states surveyed. In addition, Minnesota has one of only four not-for-profit organizations providing relay services. However, the survey also indicates that Minnesota lags behind most other states in terms of desirable features in relay service such as voice and hearing carryover, intrastate long distance billing capability and uninterruptable power for emergency use. These features must be in place by July 26, 1993 to obtain FCC certification for telecommunications relay service.

The EDP survey also studied programs in twenty-three states. The survey revealed that Minnesota has one of only four comprehensive programs in the country that distribute not only telecommunications devices for the deaf (TDDs), but also provide a wide range of special customer-premises equipment to meet the needs of all qualified communication-impaired persons. In addition, the Minnesota program also provides an evaluation of a consumer's needs in order to best serve that person, and gives training on the distributed equipment.

The EDP survey is Appendix B and the TRS survey is Appendix C of this report.

**2.300
Minnesota Relay
Service**

The Minnesota Relay Service allows a person using a Telecommunications Device for the Deaf (TDD) to communicate with any other telephone user. The service also works in reverse, allowing a hearing person without a TDD to call a TDD user. Specially trained Communication Assistants (CAs) are available 24 hours a day, seven days a week, to relay calls. There is no extra charge to the user of the relay service.

The TACIP Board is required by statute to contract with a local consumer-based organization that serves communication-impaired persons. The MRS, operated under contract with Deafness Education and Advocacy Foundation Inc. (DEAF), is a PBX telephone system that distributes calls to operators who manage incoming and outgoing telephone lines. The PBX switches the incoming and outgoing calls through the service center. Installation of the appropriate telephone system, telephone lines, modems and computers was completed on February 15, 1989. Full service commenced March 1 of that year. The relay system continues to be modified as needed. TACIP owns, maintains and updates the relay equipment as necessary.

The organization chart for the Minnesota Relay Service is included in this report as Appendix F.

**2.310
TACIP Relay
Policy**

The TACIP Board seeks to provide appropriate telecommunications relay services to the public without unduly compromising the communicative intent of its users. To assure the public of this intent, TACIP adopted explicit policies in July 1988. These policies are amended by Board action as necessary.

**2.320
MRS Contract**

TACIP-enabling legislation requires that the Board contract with a local consumer organization serving communication-impaired persons for the operation of the relay service. DEAF has served as the MRS contractor since winning the first bidding process, and is under contract until June 30, 1993. By statute, a representative of the organization operating the MRS is seated on the Board. This representative is now Mary Hartnett, the Interim Executive Director of DEAF.

The contractor's main responsibility is to operate the Minnesota Relay Service on a 24-hour, seven day a week basis. The contractor provides staff, an office location, an operations manual, local telephone lines,

publicity, and other duties it deems necessary to carry out the contract within budgetary constraints. Furthermore, the contractor is also obligated to exercise fiscal management of the funds made available through this contract. The contractor must:

- file an annual budget with the TACIP Board for approval;
- file monthly reports for TACIP Board review. These reports must include information on costs incurred during the month, usage of the service and other pertinent statistics such as the number of calls attempted, number of calls processed, a listing of complaints received, and the course of action taken by DEAF in resolving such complaints;
- provide staff as needed to operate the MRS at the service level approved in the line item budget;
- maintain space for the relay center;
- provide for local telephone service lines to the relay center;
- maintain and revise as necessary, with Board approval, an Operations Manual covering such items as an operator code of ethics, an operator training plan, standard procedures, and other topics deemed necessary by either DEAF or the TACIP Board;
- provide current position descriptions for all staff positions;
- provide the TACIP Administrator with a current organizational chart;
- inform the Board of any contracts developed by DEAF for the management, operation, training, or any other aspect of telecommunication relay services in other states;
- conduct outreach to communication-impaired persons and to the general public to publicize the availability of the MRS services and to educate persons regarding its use;
- take appropriate steps to insure against the inappropriate use of the relay service, the MRS facility, and of long distance telephone service by DEAF/MRS staff or consumers for non-relay purposes.

**2.330
Statistical
Information**

The Contractor provides statistical information to the Board monthly and measures a variety of relay parameters.

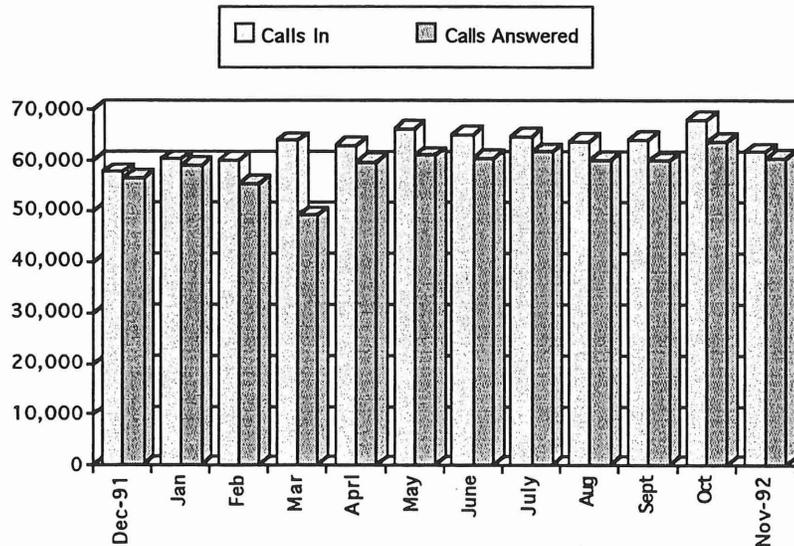
**2.331
Measurement
Parameters**

This report gives data on the number of calls received in the reporting period and the efficiency of the relay in processing those calls. Daily call statistics (including the number of calls in, answered, outgoing, and abandoned), the percentage of calls answered under ten and thirty seconds, the average time per call, the percentage of calls from the Metro and the Greater Minnesota areas, the average call statistics per operator per hour, public relations activities, human resource activities, and consumer comments are fully documented and reported to the Board monthly.

There was a monthly average of 76,611 *outgoing* calls placed through the MRS during 1991. For 1992 the average monthly call volume was 87,920. This is a 15% increase over the same 12-month period covered in last year's annual report. During the first nine months of operation (March-November 1989) there were just over a quarter of a million outgoing calls made. During the past twelve month period (December 1991-November 1992) the MRS passed the one million call mark.

The FCC has established a minimum standard of 85% of all *incoming* calls to the relay center must be answered within 10 seconds. The MRS answered 85.95% of all calls within 10 seconds. The graph in Figure 1 is a representation of *incoming* call activity and how efficiently the calls were processed.

Figure 1: Minnesota Relay Service Activity, 12/91 - 11/92



The grand total of *outgoing* calls since inception of service in March of 1989 is just under 2,400,000 calls. MRS should pass the three million mark by July 1993.

**2.332
Program
Promotion**

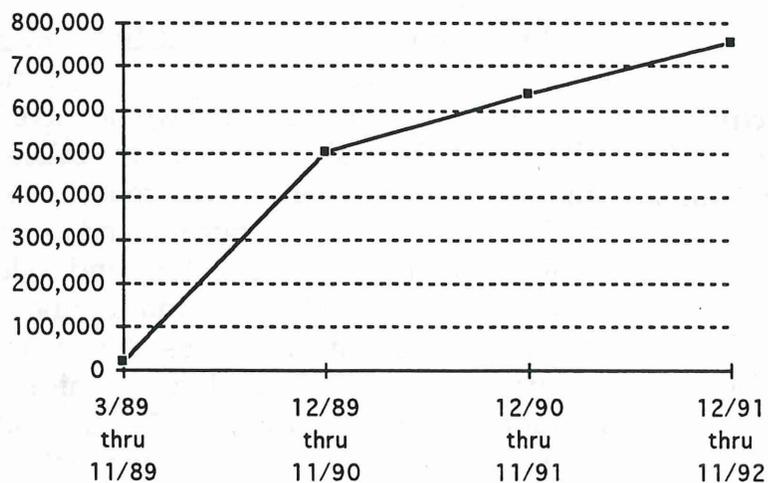
During 1992, MRS carried out an extensive outreach program to the community. Presentations were made to 46 different groups; approximately 2300 persons received information on the relay service.

DEAF received the Deubener Award from the St. Paul Chamber of Commerce for innovation and entrepreneurship in May. The award was made in recognition of the service the MRS provides and the jobs that were created by the MRS in the downtown St. Paul area. Mayor Scheibel visited the relay in September and observed, "The Minnesota Relay Service not only provides equal access to deaf citizens of the State of Minnesota, but it also is an important employer in the City of St. Paul."

**2.340
Evolution of
Service**

Since 1991, the number of operator workstations has increased from thirty-six to fifty. The number of communication assistants (CAs) has grown to the current level of 76.5 full time equivalent employees (FTEs). These changes reflect the continued growth in utilization of the service as illustrated in the Figure 2.

Figure 2: Number of Incoming Calls to MRS, 3/89 - 11/92



**2.350
Authority to
Resell Long
Distance Service**

The Minnesota Relay Service serves all of Minnesota through its St. Paul office. People seeking relay service may call in from anywhere within the state and place a call to any telephone user. Non-relay users would normally incur long distance charges for equivalent intrastate calls. Because the MRS was not a telephone company serving specific users, it had limited ability to determine appropriate long distance charges for MRS users.

The only viable option was to charge the user for the call through the relay service center when a toll charge would have ordinarily been applied. The most logical solution was to have either the MRS or the TACIP Board charge rates to cover long distance costs from an interexchange carrier based on usage rather than distance. An ever-changing extended area service (local free calling areas) and the introduction of equal access to competitive long distance rates has further complicated the implementation of a billing system.

On March 8, 1989, TACIP filed a request with the PUC for a certificate of authority to resell long distance service within the state of Minnesota. The PUC approved the request.

It was not known if the proposed rates would cover the billing costs as such information was not available at the time of the request. The TACIP Board has now researched the costs of intrastate long distance calls placed through the relay, and has developed a formal proposal to establish a billing and collection system. It is still not certain that the proposal will be cost-effective given the expenses related to equipment, software, staff time, and the small number of potential users. The Board expects to have a billing system in place by March 1993.

**2.360
Proposed
Cost-Effective
Billing and
Collection System**

The PUC requested that the TACIP Board provide: a detailed description of current technical barriers to implementing a billing and collection system for relay calls that would have been toll calls had the calling party been able to contact the called party directly; a plan for implementation of a billing and collection system, if feasible; an analysis of the volume of intrastate toll and incoming interstate toll calls that would be required for each billing and collection system considered by the Board to be cost effective; and comment on appropriate relative advantages of continuing to absorb intrastate and incoming interstate toll charges versus billing telecommunications relay service users. In addition, the PUC has directed TACIP to advise the PUC of charges absorbed in excess of \$5,000 in any month for intrastate long distance charges.

In its August 14, 1992 report to the PUC, The Board provided the information requested regarding the costs of billable intrastate long distance calls placed through the MRS and the estimated costs of implementing a long distance billing system. The Board also reported that the costs of intrastate long distance calls has exceeded \$5,000 per month.

At the August 18, 1992 meeting, the Board approved the implementation of a plan to establish a billing system and the preparation of re-

quests for proposal as needed. The Board is also investigating the possibility of utilizing existing and future contracts developed by the Department of Administration for long distance billing services for other state agencies.

The Board will keep the PUC informed of developments regarding long distance billing for intrastate relay calls.

**2.400
Equipment
Distribution
Program**

The purposes of the Equipment Distribution Program are to distribute telecommunication devices to eligible citizens of Minnesota, to maintain the devices, to provide outreach to communication-impaired persons to inform them of services available through the program and to provide training in the use of the telecommunications devices.

The TACIP distribution program is administered under interagency agreement by the Department of Human Services, Deaf Services Division (DSD). Services are provided through six of DSD's regional offices located around the state. The map in Appendix G shows the makeup of the regions and the number of households served to date by EDP. The organizational chart for the EDP is included in this report as Appendix H.

**2.410
Authority to
Provide
Equipment**

Subdivision 5 (3) of Statute 237.51 provided the Board with the authority to establish specifications for special communication devices to be purchased under Section 237.53, subdivision 3. This authorized the Board to evaluate and purchase communication devices that may be beneficial to eligible persons under its distribution program.

**2.420
Policy and
Adoption of
Administrative
Rules**

From the beginning of the TACIP programs, it was clear that there was a dramatic need to provide appropriate telephone access equipment to communication-impaired persons in Minnesota. The TACIP Equipment Distribution Program Committee worked with a number of individuals and organizations to identify communication-impaired populations, the kind of telecommunications equipment needed, and the eligibility criteria for the program. Terms such as "severely hearing impaired", "residency", and "appeal process" were defined and a priority system for distribution was established. Committee recommendations on these issues were brought to the full TACIP Board for approval and were incorporated into administrative rules and program policy.

**2.430
Equipment
Distribution
Program Contract**

The original TACIP statute passed in 1987 required the telephone company providing local exchange service to the largest number of persons in the state to purchase and distribute equipment to every other telephone company for distribution as specified by the Board. It later became clear that this approach would not be the most efficient, so plans were made to amend the TACIP law. The enabling statute was modified in subsequent legislation to permit the Department of Human Services, Deaf Services Division (DSD) to distribute the devices under interagency agreement with the TACIP Board. This gave TACIP access to DSD's established network of regional service centers and experienced professional staff. This approach to serving eligible communication-impaired persons throughout Minnesota has proven very effective (see Appendix G).

The TACIP Equipment Distribution Program Committee developed equipment specifications and administrative rules in consultation with DSD and the State Attorney General's Office. The work of the TACIP Board and DSD was incorporated into an interagency agreement. The purpose was to develop procedures and methods for the distribution of telecommunication devices to eligible persons; maintenance of such devices; outreach to communication-impaired persons; an appeals process and procedure; and orderly reporting, billing, and payment between the two state agencies. The result of this agreement continues to be the delivery of efficient and high quality TACIP services. This agreement is renewed each fiscal year with the current contract running through June 30, 1993.

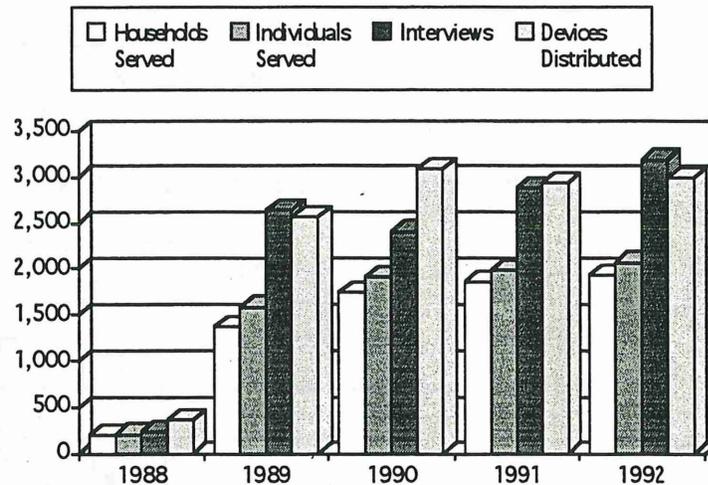
The Equipment Distribution Program initiated service with a pilot project in the Rochester, Minnesota area during the week of August 29, 1988. The purpose of this project was to test the procedures as presented in the preliminary distribution plan, and to identify problem areas and make appropriate modifications before the program was implemented statewide. All members of the EDP staff were hired and service began in the remaining regional centers in December 1988.

**2.440
Statistical
Information**

Deaf Services Division provides EDP statistical information to the TACIP Board on a monthly basis. The outreach activities, number of interviews conducted, number of households receiving equipment, and kinds of equipment distributed are fully documented. Distribution data from the beginning of the program in October 1988 through November 1992 is contained in Figure 3.

**2.441
Program
Promotion**

The task of outreach and program promotion for EDP has been delegated to DSD through its contract with TACIP. Presentations by EDP staff explain the program, outline the eligibility requirements, demonstrate types of equipment currently available, explain the availability

Figure 3: Equipment Distribution Program Activity, 1988 - 1992*

* Includes Estimates for December 1992

of the statewide telecommunications relay service, and provide other pertinent information.

During 1992, EDP also conducted its second Consumer Satisfaction Survey. The survey was sent to 210 randomly-selected recipients of EDP services from around the state. The selected consumers received service between January and June 1992. The survey participants were able to respond without revealing their identity. Of 154 surveys returned, over 95% were favorable. The findings were consistent with the initial survey conducted in the fall of 1991. The survey results appear as Appendix I.

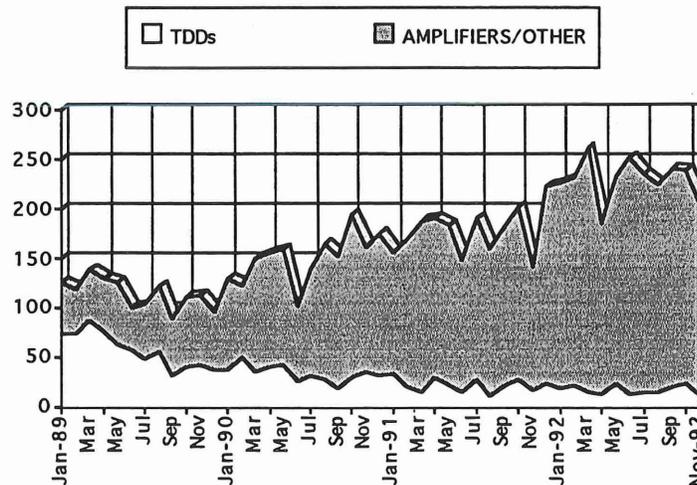
2.450 Evolution of Service

Over the last four years, the Equipment Distribution Program has evolved as expected by the Board and DSD. Initially, the program primarily distributed telecommunications devices for the deaf (TDDs) to people who were identified as members of the "deaf community". (Deaf people throughout the state were aware of the work being done to establish TACIP and its services and they were anxiously awaiting the start of the program.) However, it was known that individuals with moderate to severe hearing losses and those people with profound hearing losses occurring later in life represent the largest population to be served. Although the numbers are not as large, speech-impaired people comprise another group which continues to receive an increasing amount of service from EDP.

The graph in Figure 4 indicates the number of telecommunications devices for the deaf (TDDs) and other equipment distributed since the beginning of the program. There has been a shift in demand from

TDDs to other types of equipment such as amplified telephones for hearing and speech-impaired persons, large visual displays and braille devices for deaf/visually impaired persons, and other adaptive equipment for qualified persons with special needs who cannot use the "standard" equipment distributed by EDP.

Figure 4: Equipment Distribution by Type, 1988 - 1992



The largest consumer group of the distribution program is made up of senior citizens (over the age of 65). This population experiences an extremely high incidence of hearing loss and is most in need of telephone service to access health, safety, and social services to maintain self-support and self-sufficiency.

**2.451
Services for
Special Needs
Recipients**

People with deaf-blindness and those who are hearing- or speech impaired with severe physical impairments are an under-served population. The TACIP Equipment Distribution Program Committee and DSD staff have sought appropriate telecommunication devices for these applicants, and have actually designed specialized telecommunications systems when none existed, to meet the unique needs of this population. These cases can be very time-intensive, often requiring an applicant to be evaluated by a speech and language pathologist and a rehabilitation engineer to determine which device(s) will be most appropriate to meet the applicant's telecommunication needs. In addition, extensive training on the operation of the device is often needed. Recognizing the demands of serving this population, the TACIP Board approved an additional staff position within EDP to better serve recipients with special needs. EDP has also entered into contracts with several rehabilitation service providers to obtain additional evaluation and training as needed. EDP works closely with other state and private agencies that provide adaptive equipment to ensure there is no duplication of service and to provide for the efficient use of TACIP resources.

**3.000
TACIP FUNDING
MECHANISM**

All funding for the TACIP programs comes from a ten-cent surcharge on all telephone access lines in Minnesota.

**3.100
Revenues**

Minnesota statute 237.52, subdivision 2 requires that the TACIP Board annually recommend to the PUC a surcharge level needed to fund the TACIP Programs. The maximum allowable surcharge under the present TACIP Act is ten cents per local access telephone line per month. The TACIP Board recommended that the Commission establish a ten-cent per line per month surcharge, effective March 1, 1988. The Board determined that this surcharge level was appropriate to generate the amount of revenue required for the program budget through the fiscal year 1993. The Board projected that monthly revenue would initially exceed monthly expenses with a ten cent surcharge, but that monthly expenses would exceed monthly revenues early in 1990. Built up revenue reserves will enable both programs to operate at the ten cent surcharge level through the sunset date of the TACIP statute.

**3.200
Past and Projected
Revenues and
Expenses**

Past and projected revenues from the surcharge (projected access line growth of 2% per year) are shown in the following table:

FY 1988 (July 1, 1987 - June 30, 1988)

Revenues:

Income from Surcharge =	\$ 586,405
Income from Investments =	1,459
Total Revenues	\$ 587,864

Expenses:

TACIP Administration	\$ 61,469
Equipment Distribution Program	0
Minnesota Relay Service	9,452
Total Expenses	\$ 70,921
Balance Forward	\$ 516,943

FY 1989 (July 1, 1988 - June 30, 1989)

Revenues:

Income from Surcharge =	\$ 2,467,257
Balance Forward =	516,943
Income from Investments =	82,900
Total Revenues	\$ 3,067,100

Expenses:

TACIP Administration	\$ 103,114
Equipment Distribution Program	1,072,111
Minnesota Relay Service	691,391
Total Expenses	\$ 1,866,616
Balance Forward	\$ 1,200,484

FY 1990 (July 1, 1989 - June 30, 1990)

Revenues:

Income from Surcharge =	\$ 2,517,350
Balance Forward =	1,200,484
Income from Investments =	137,861
Total Revenues	\$ 3,855,695

Expenses:

TACIP Administration	\$ 82,461
Equipment Distribution Program	659,714
Minnesota Relay Service	1,331,379
Total Expenses	\$ 2,073,554
Balance Forward	\$ 1,782,141

FY 1991 (July 1, 1990 - June 30, 1991)

Revenues:

Income from Surcharge =	\$ 2,547,517
Balance Forward =	1,782,141
Income from Investments =	148,988
Total Revenues	\$ 4,478,646

Expenses:

TACIP Administration	\$ 80,585
Equipment Distribution Program	750,503
Minnesota Relay Service	1,983,539
Total Expenses	\$ 2,814,627
Balance Forward	\$ 1,664,019

FY 1992 (July 1, 1991 - June 30, 1992)

Revenues:

Income from Surcharge =	\$ 2,724,720
Balance Forward =	1,664,019
Income from Investments =	101,642
Total Revenues	\$ 4,490,381

Expenses:

TACIP Administration	\$ 132,891
Equipment Distribution Program	776,547
Minnesota Relay Service	2,207,839
Total Expenses	\$ 3,117,277
Balance Forward	\$ 1,373,104

FY 1993 (July 1, 1992 - June 30, 1993)

Revenues (estimated):

Income from Surcharge =	\$ 2,779,214
Balance Forward =	1,373,104
Income from Investments =	60,000
Total Revenues	\$ 4,212,318

Expenses (estimated):

TACIP Administration	\$ 210,000
Equipment Distribution Program	832,450
Minnesota Relay Service	2,659,000
Relay Upgrade to FCC Standards	255,000
Total Expenses	\$ 3,956,450
Balance Forward	\$ 255,868

The TACIP Board anticipates spending \$255,000 in Fiscal Year 1993 to upgrade the existing relay center to meet FCC standards for relay certification and to establish an intrastate long distance billing system. All state relays must meet FCC standards by July 26, 1993.

3.210 Legislative Auditor's Report

The Office of the Legislative Auditor (Public Release No. 91-75, 18 October 1991) completed a financial audit of TACIP operations for the three years ending June 30, 1990. The objectives were; 1) to evaluate the internal control structure of TACIP with special regard to professional and technical services, purchased services, and Board and employee travel and subsistence, and 2) to test the compliance of TACIP with certain finance-related legal provisions.

The Office of the Legislative Auditor did not express an opinion on the internal control structure due to the limited TACIP staff size. It did note that the Board had not complied with finance-related legal provisions in that the Board had improperly advanced funds to a vendor; i.e., DEAF, which operates the Minnesota Relay Service.

Briefly, TACIP was mandated by enabling legislation to utilize a non-profit organization serving communication-impaired persons to operate a telecommunications relay. DEAF was the only identifiable organization at the inception of TACIP which met the statute definitions for relay operations and was the only bidder for the service. As a small

non-profit, it had little operating revenue, and advised the Board that it would have difficulty operating the Minnesota Relay Service without an advance of funds for expenses.

The Board was faced with not being able to initiate its legislatively mandated program without a funding mechanism which would permit DEAF to proceed with hiring and training employees for the Minnesota Relay Service. The method chosen, with advice from the Attorney General's Office and concurrence of the Department of Finance, was a grant agreement to provide funds for "start-up" expenses for DEAF. Built into the grant was the stipulation that the funds would be returned to TACIP at the expiration of the grant agreement. In addition, DEAF was to advise TACIP on a quarterly basis on the status of these funds. The Board did not foresee future requests by DEAF for similar funds, but such funds were requested and granted in subsequent years.

The Office of the Legislative Auditor advised the Board that these funds are not grants, but are contract advances for services and are precluded by Minnesota Statute (Section 16A.065). The Office of the Legislative Auditor recommended that the Board discontinue advancing funds and enforce provisions of its contract; i.e., submission of quarterly reports by DEAF.

In response, TACIP discontinued advancing funds to DEAF, cancelled the existing grant agreement, and requested the return of all funds provided to DEAF under this and past grant agreements. Furthermore, the Board requested a full accounting of the use of the advanced funds from DEAF.

In order to meet the legitimate needs of the relay provider for operating capital, the Board sought and received statutory authority in 1992 to advance funds to its service providers. A provision for the advancement of funds is contained in the fiscal year 1993 contract with DEAF.

On December 8, 1992, DEAF provided an accounting of the advanced funds. It is anticipated that the amount of the advance plus interest earned on the funds by the vendor will be returned by January 31, 1993. At that time, the TACIP Board will again provide DEAF with an advance for operating capital under its new legislative authority.

4.000 LEGISLATIVE INITIATIVES

The Board took two legislative initiatives during 1992. The first initiative sought and received changes in the TACIP Statute which gave the TACIP Board authority to advance funds to contractors and changed

the statute that covers the appointment of Board members. The second initiative, now being considered by the PUC and the Governor's office, recommends the continuation of TACIP programs for an additional five years.

**4.100
Other Legislation
in 1992**

Legislation initiated by the Minnesota Department of Public Service sought to transfer housing and support services for the TACIP Board to the auspices of the Minnesota Department of Administration. This legislation was also approved without change.

**4.200
Proposed
Legislation for
1993**

The TACIP Board forwarded its recommended changes to the TACIP statute to the PUC in October (see Appendices D & E). Among the specific recommendations are:

- To include "mobility-impaired" persons in the definition of "communication-impaired" so that the challenges faced by this segment of the population in using standard customer-premises equipment are recognized.
- To eliminate the income guidelines for receiving telecommunications devices, allowing all communication-impaired persons to benefit from TACIP services.
- To establish a new sunset date of June 30, 1998 for the TACIP program so that the entire operation will be reviewed in five years.
- To change the number of TACIP Board members from twelve to sixteen and the number of consumer representatives be raised from five to nine. Of the nine consumer representatives, at least four must reside outside the seven county metropolitan area at the time of appointment; at least five must be culturally deaf, one must be post-vocationally deaf, one must be speech-impaired, one must be mobility-impaired, and one must be hard-of-hearing.
- To raise the amount of the surcharge cap from ten cents to thirty cents for each customer access line, so that the MRS can be enhanced to meet growing demand and comply with FCC standards, and so that all qualified communication-impaired persons can be served through the EDP. The PUC would continue to be responsible for determining the actual surcharge level.

- ❑ To state clearly in the statute that the Board has the responsibility to ensure compliance with FCC standards for the operation of the Minnesota Relay Service.
- ❑ To require that the Board contract with a local consumer organization that serves communication-impaired persons for the operation of the MRS. However, the Board will have the flexibility to contract with another organization if the local consumer organization does not comply with its contract.

4.300 Impact of ADA and FCC

In its Report and Order released July 26, 1991, the Federal Communications Commission amended its rules to require, "that each common carrier providing telephone voice transmission services shall, no later than July 26, 1993, provide, throughout the area in which it offers service, telecommunications relay services (TRS), individually, through designees, through a competitively selected vendor, or in concert with other carriers. Further, we take this action in order to establish mandatory minimum standards for operational, technical, and functional procedures that shall be met in carrying out the requirement that common carriers provide the means for individuals with hearing or speech disabilities to engage in communication by wire or radio with individuals who do not have such disabilities in a matter that is functionally equivalent to the ability of individuals who do not have hearing or speech disabilities to communicate using voice communication services by wire or radio." The Commission also encourages states to provide equipment distribution programs.

The Report and Order goes on to say, "This proceeding was initiated by the passage of the Americans with Disabilities Act of 1990 (ADA), S.933, Pub. L. 101-336, 104 Stat. 327, 366-69 (July 26, 1990). The purpose of ADA is to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities, and to ensure that federal entities such as this Commission play a central role in enforcing the standards established in the ADA on behalf of individuals with disabilities."

As mentioned earlier in this report, the TACIP Board has filed a report with the FCC requesting certification. The Board expects to be in full compliance with the FCC requirements before July 26, 1993.

4.400 Expectations without Program Modification

Currently, the TACIP Board and its two programs, MRS and EDP, are funded entirely through a ten-cent monthly surcharge on each telephone customer access line in the state. This surcharge generates approximately \$2.7 million dollars each year. The anticipated expen-

diture for Fiscal Year 1993 is \$3.9 million dollars. The Board has used carryover funds from previous years to pay the expenses for Fiscal Years 1992 and 1993. As of June 30, 1993, these carryover funds will almost be depleted and TACIP's fund balance then will be approximately \$256,000.

Estimated costs for Fiscal Year 1994 are \$4.8 million dollars. Available resources to cover these costs are the anticipated fund balance of \$256,000 and anticipated revenues from the surcharge of about \$2.7 million dollars for a total of \$2,956,000. This would result in a shortfall of \$1.8 million dollars.

Realizing that an increase in revenue will be necessary for TACIP to continue operations and for Minnesota to comply with Federal mandates for TRS, the Board has recommended an increase in the telephone surcharge cap in its October 2, 1992 report to the PUC (see section 4.200 of this report).

5.000 CONCLUSION

TACIP's programs, the Equipment Distribution Program and the Minnesota Relay Service, have been successful by any measure. Thousands of persons have been helped to live better, easier, more complete lives by enhancing their ability to communicate over the telephone. Senior citizens with hearing and speech impairments have been able to lead more independent lives and maintain contact with friends, family, health care and emergency services. Communication-impaired people, who have historically been discriminated against in employment, are now able to compete on a more equal footing for jobs.

A letter TACIP recently received from Mrs. Karen Samuelson says it all and is a suitable conclusion to this report. The TACIP Board sincerely hopes the PUC will continue to recognize the importance of the TACIP programs in terms of their value to society as well as their role in meeting Minnesota's obligations under federal statute to make the telecommunications network accessible to communication-impaired persons. The Board respectfully requests PUC's support of the Board's legislative recommendations.

To All Board Members:

I would hope the Equipment Distribution Program and Minnesota Relay Service will always be there for those who need it.

I have the use of the TDD and telephone signaler. As I am deaf and have only hearing family and friends, the TDD and Minnesota Relay Service are essential to me! Without

either one I would feel like I have lost an arm or leg. They have meant the difference of living in near isolation and being dependent on family or friends for all communication with the outside world, and being able to call friends to chat or get recipes, etc. like normal people do.

I have used the TDD for calling the hospital in the middle of the night to know how to care for sick children. When my baby was in the hospital and I stayed there, I was able to call home on their TDD.

I use the MRS for making appointments, business calls where there is a problem -- say with school teachers -- I would not be able to understand if I went in person and by using MRS I am sure of getting things correctly.

I do not know sign language so when someone calls and my family does the interpreting it becomes very frustrating for all of us. They have to stop and write down the message and I find that they tell me very little of what the conversation is about. The MRS operators are so super in telling me word for word (even telling me things like baby crying in the background, or if other person is upset, etc.). It makes it seem as though I am talking to the person myself!

...I take the TDD with me to my part-time job cleaning at a local bank. As it is often dark and I am all alone in the building, I feel much safer having the TDD so I can call out in an emergency or call home if my car breaks down.

As you can see, if I were to lose the TDD and the MRS, it would leave a big void in my life. 'Cutting off a life line to the world!'

Please do everything possible to continue these services. Thank you for arranging these services for people like me.'

*Sincerely,
Karen Samuelson
Sebeka, MN*

The TACIP Board wishes to thank Mrs. Samuelson and the hundreds of other people who have taken the time to write, call and attend public meetings in support of the EDP and MRS programs.

Appendix A

Survey of Equipment Distribution Programs

Equipment Distribution Program National Survey:
September - November 1992

TACIP Board
State of Minnesota
Centennial Office Building, First Floor
658 Cedar Street
Saint Paul, Minnesota 55155-1603

TACIP Board -- State of Minnesota
Equipment Distribution Program National Survey, September - November 1992

In August and September of this year, TACIP (Telecommunications Access for Communication Impaired Persons) Board staff, by request of the Legislative committee, carried out two telephone surveys, one on telecommunications relay systems operations and the other on equipment distribution programs. (The TACIP Board is the supervisory group appointed by the Governor of Minnesota for both the Message Relay Service and the Equipment Distribution Program.) The purpose of these surveys was to allow the committee and the TACIP Board to compare the Minnesota programs to similar programs around the nation and produce recommendations for improving services in Minnesota. On the following pages are the results of the 1992 Equipment Distribution Survey.

We surveyed administrators and coordinators of equipment distribution programs from 23 states. We feel that we have reached the majority of the states with equipment distribution programs, however this list should not be taken as all inclusive. The survey questions dealt with all aspects of program administration and operation.

All the information contained in the final report was obtained by telephone survey. The survey respondents were sent a fax requesting verification and correction of the information provided in the original telephone contact. Ten days were allowed for response before that information was put into the final survey report. All efforts were made to obtain verification from each responding program. Therefore, we believe that all information in the survey report is correct, but neither TACIP nor the State of Minnesota is responsible for any inaccuracies in the final report.

The survey report is divided into three main sections: a matrix comparing the surveyed programs, a narrative report of each program, and an appendix listing the survey respondents and program contacts.

Equipment Distribution Program National Survey Matrix

Definition of matrix categories:

Type:	<p>The equipment distribution programs are divided into two types: Comprehensive (Comp.) and Limited. A program is designated as comprehensive if it fulfills all of the following criteria:</p> <ol style="list-style-type: none">1. The program provides a wide range of equipment for deaf, hard of hearing, speech impaired and deaf-blind persons;2. The program provides specialized adaptive equipment for mobility impaired persons with a communication impairment;3. There is an evaluation of a client's telecommunication needs in order to provide equipment that best suits that individual.4. The program provides some sort of training on the equipment.
Funding Mech.:	<p>(Funding Mechanism) This is a brief description of how funds are made available for the operation of the equipment distribution program.</p>
TRS Also Funded:	<p>This column indicates whether a telecommunications relay system is funded by the same source as the EDP.</p>
FY '92 Budget for Dist.:	<p>The amounts in this column are the complete Fiscal Year 1992 budgets (except where noted). The designation of "Incomplete" means that the budget was only partial and therefore cannot easily be compared to the others. "Not provided" means that the program staff or administrators either could not or would not provide the figures.</p>
Delivery System:	<p>This column lists the methods of distribution used by the surveyed programs.</p>
Eligibility Criteria:	<p>This is a brief listing of the criteria an applicant must meet in order to be accepted into the program. For a complete description, see the individual state program reports.</p> <ul style="list-style-type: none">I: Income;R: State Residence;T: Telephone Service in home;HI: Hearing Impairment;SI: Speech Impairment;VI: Visual Impairment;MI: Mobility Impairment;A: Age; andO: Other, see individual state report.

Ownership:	This indicates ownership of the equipment after distribution.
Training:	This is a brief designation of the comprehensiveness of the training provided. There are three categories of training: "Thorough", "Limited", and "Upon request only". "Thorough" training consists of complete instruction on installation and operation of the distributed equipment. "Limited" training is instruction that less extensive in covering installation and operation of equipment. "Upon request only" signifies that training on the equipment is available only if the recipient specifically requests it.
Evaluation:	This column indicates whether an evaluation of a client's telecommunication needs is done in order to provide equipment that best suits that individual. The designation "Not applicable" means that only one type of equipment is distributed, therefore no evaluation is necessary.
# of individuals 1992:	These figures (unless otherwise designated) are the number of individuals served by the program during Fiscal Year 1992. "Not provided" means that distribution figures were not given to TACIP by the survey respondents. "Not available" signifies that the figures are either not collected by the state program or could not be easily obtained for the purpose of this survey.
# of devices 1992:	These figures are the total number of TDDs, phone amplifiers, ring signalers, and/or systems for the deaf/blind that were distributed in Fiscal Year 1992 (unless otherwise designated). The total was reached by adding the distribution numbers for this equipment given by the survey respondents.
Special Equip. Moblty. Impaired:	This column denotes programs that provide specialized adaptive telecommunication equipment for persons with a mobility impairment.

All the information contained in this matrix was obtained by telephone survey. We believe all of the information is accurate, but neither TACIP nor the State of Minnesota is responsible for any inaccuracies in this final report.

Equipment Distribution Program National Survey Matrix

State	Type	Funding Mech.	TRS Also Funded	FY '92 Budget for Dist.	Delivery System	Eligibility Criteria	Ownership	Training	Evaluation	# of individuals 1992	# of devices 1992	Special Equip. Moblty Impaired
Arizona	Limited	Excise tax 0.8% from 911	YES	\$750,000	State Region Offices	R; HI/SI	State	Thorough	YES	300	600	NO
California	Comp.	Intrastate revenues - 0.3%	YES	\$13,281,000 (Cal. Yr. 1992)	TelCo's	R; T; HI/SI/VI/MI or imp. affecting tel.use	State	Thorough	YES	Not available	28,847 (Cal. Yr. '91)	YES
Connecticut	Limited TDD Only	Yearly mandate on Tel. Co.	NO	\$20,000	Private Organization	I; R; T; HI/SI; A; O	State	Thorough	N/A	24	22	NO
Florida	Limited	Surcharge 10¢/month	YES	\$2,087,910	Shipped from Manufacturer	R; HI/SI; A	FL Telecomm. Relay	Thorough	YES	3956 (approx.)	6,462	NO
Illinois	Limited TDD Only	Base Line 11¢/month	YES	\$1,464,496 (Cal. Yr. '91)	Private Org. Region Offices	R; T; HI/SI	ITAC	Thorough	N/A	689 (households) (Cal. Yr. '91)	1,378 (Cal. Yr. '91)	NO
Louisiana	Limited TDD Only	Surcharge 11¢/month	YES	\$1,700,000	Private Org. Region Offices	R; HI/SI	State	Thorough	Not provided	Not provided	Not provided	NO
Maine	Limited TDD Only	General Fund	NO	Incomplete	Private Org. Central Loc.	Lending: I; R; HI/SI Cost Sharing: R; HI/SI	Lending: State Cost Shrng: Recipient	Thorough	YES	135	111	NO
Massachusetts	Comp.	Income revenue-residential 411	NO	\$2,500,000 (FY 1993)	Auth. Vendors around state	I; R; T; HI/SI/VI/MI	N. England Tel. Co.	Upon request only	YES	3,023 (first 3 months.)	4,919	YES
Minnesota	Comp.	Surcharge 10¢/month	YES	\$832,450	State Region Offices	I; R; T; HI/SI; A	State	Thorough	YES	1,995	2,800	YES
Montana	Comp.	Surcharge 10¢/month	YES	\$125,000	State Region Offices	I; R; T; HI/SI; A; O	State	Thorough	YES	500	555	YES
Nevada	Limited TDD Only	Surcharge 8¢/month	YES	\$100,136	Private Org. 2 Locations	R; T; HI/SI; A	Recipient	Thorough	YES	Not provided	Not provided/ Incomplete	NO
New Hampshire	Limited TDD Only	General Fund	NO	Incomplete	State Central Loc.	I; R; T; HI/SI; O	State	Limited	N/A	11 (households) (FY 1991)	22 (FY 1991)	YES - but has not yet dist. any
North Carolina	Limited	General Fund	NO	Incomplete	State Region Offices	I; R; T; HI/SI; A	State	Thorough	NO	195 (Cal. Yr. '91)	313 (Cal. Yr. '91)	YES - but has not yet dist. any
Oklahoma	Limited	Surcharge 5¢/month	YES	Not provided	State Central Loc.	I; HI/SI	State until warranty expires, then recip.	Thorough	NO-unless voc. rehab. client	Not provided	Not provided	YES
Oregon	Limited	Surcharge 14¢/month	NO	\$87,000	Private Org. 2 Loc.	R; T; HI/SI/MI; A	State	Thorough	YES	Not provided	Not provided	YES
Rhode Island	Limited	Surcharge-1985 30¢/mth for 6 mths	NO	\$66,903	Private Org.	R; T; HI/SI/neuro-muscular impair.	State	Thorough	YES	Not available	Not available	YES
South Dakota	Limited	Surcharge 15¢/month	YES	\$184,892	Private Org. Region Offices	R; T; HI/SI; A	State	Thorough	YES	500 (estimated)	455	NO
Tennessee	Limited TDD Only	General Fund	NO	\$0	Private Org Region Offices	I; R; HI/SI; A; O	State	Thorough	N/A	2	3	NO
Utah	Limited	Surcharge 7¢/month	YES	Incomplete	State Central Loc.	I; R; HI/SI	State	Thorough	NO	76	151	NO
Virginia	Limited	General Fund	NO	Incomplete	Voucher	I; R; HI/SI	Recipient: equip. less than \$5000	Upon request only	NO	750	Not provided	NO
Washington	Limited	Surcharge 10¢/month	YES	\$269,379	Private Org. Region Offices	R; HI/SI; A	State	Thorough	YES	Not provided	1,280	NO
Wisconsin	Limited	General Fund	NO	\$90,000	Voucher	I; R; T; HI	Recipient	Upon request only	NO	154	277	NO
Wyoming	Limited TDD Only	Surcharge 25¢/month	YES	\$149,500 (FY 1993)	State Central Loc.	I; R; HI/SI	Recipient	Thorough	YES	No distribution figures yet	No distribution figures yet	NO

Appendix B

Survey of Telecommunications Relay Services

Minnesota TRS Phone Survey August 1992

ADMINISTRATION										
State	Operator	Date Estab	Oversight	Funding Mech	EDP Funded	TRS \$ for FY	Outgoing Call Vol for FY	Cost Per Outgoing Call	FCC Comply	Restrictions
Alabama	AT&T	Feb-89	BOARD	SURCHARGE 10¢/month	NO	3.1 MM	280,000	\$11.07	YES	No int'l, 900/976, 411 or info calls
Arizona	FPO	Mar-87	COUNCIL	RATE BASE 0.80%	YES	1.7 MM	630,200	\$2.70	YES	None
California	SPRINT	Jan-87	PUC	SURCHARGE 3¢-7¢/month	YES	19.0 MM			YES	No int'l,marine,900/976, no carrier of choice
Colorado	SPRINT	Nov-90	PUC	SURCHARGE 10¢/month	NO	2.2 MM	564,000	\$3.90	YES	No int'l,900/976
Connecticut	FPO	1970	STATE COMM	RATEBASE 5¢/month	NO	1.1 MM	276,000	\$3.99	NO	Long dist.- credit card only
Florida	MCI	Jun-92	PSC	SURCHARGE 10¢/month	YES	6.1 MM			YES	No 900/976, out of state point to point calls
Indiana	SPRINT	Oct-92	NPO	SURCHARGE 5¢/month	NO	2.7 MM	360,000	\$7.50	YES	None (est.)
Iowa	SPRINT	Aug-92	Util Board	ASSESSMENT	NO	1.1 MM			YES	Only 3 redial.No interstate, 900/976,no carrier of choice
Kentucky	AT&T	Oct-91	PSC	SURCHARGE 10¢/month	NO	1.0 MM	188,000	\$5.32	YES	No int'l, 900/976
Louisiana	MCI	Dec-92	PSC	SURCHARGE 5¢/month	YES	3 to 4 MM			YES	None (est.)
Maryland	SPRINT	Dec-91	DGS	SURCHARGE 17¢/month	NO	7.0 MM	1,442,000	\$4.85	YES	No 900/976
Michigan	MICH. BELL	May-91	PSC	RATEBASE	NO	5.5 MM	476,900	\$11.53	YES	Interstate outbound only,no 900/976, sent-paid coin,
Minnesota	NPO	Mar-89	TACIP	SURCHARGE 10¢/month	YES	2.4 MM	1,006,000	\$2.38	NO	Interstate orig./term.in MN no 900/976, telemarketing
Missouri	SPRINT	Jun-91	PSC	SURCHARGE 6¢/month	NO	1.5 MM	500,000	\$3.00	YES	Interstate outbound only
Nebraska	HAMILTON	Jan-91	PSC	SURCHARGE 10¢/month	NO	.75 MM	95,000	\$7.89	YES	No 900/976
New York	AT&T	Jan-89	PSC	RATEBASE 12¢/month	NO	14.0 MM	1,959,000	\$7.15	YES	No inbound interstate,info. rec., sent-paid coin
Oklahoma (405)	FPO	Feb-87	DHS	SURCHARGE 5¢/month	YES	0.43 MM	132,000	\$3.25	NO	No 900/976, 911
Oklahoma (918)	NPO	Feb-88	DHS	SURCHARGE 5¢/month	YES	0.37 MM	120,000	\$3.08	YES	No 900/976, 911
So. Carolina	SPRINT	Apr-92	PSC	SURCHARGE 10¢/month	NO	1.9 MM			YES	No interstate calling
So. Dakota	NPO/SPRINT	Nov-89	DHS	SURCHARGE 15¢/month	YES	0.25 MM	67,500	\$3.70	YES	No 900/976
Tennessee	AT&T	Sep-90	PSC	COMBO Sur & Ratebase	NO	2.5 MM (est.)	350,000	\$7.14 (est.)	YES	Interstate outbound only,no coin calls, no recorders
Utah	NPO	Jan-88	PSC	SURCHARGE 7¢/month	YES	0.61 MM	286,500	\$2.14	YES	1 call limit, no 900/976
Washington	NPO	Nov-89	DSHS	SURCHARGE 10¢/month	YES	3.7 MM	589,000	\$6.20	NO	Must report child abuse, no 900/976
Wisconsin	MCI	Aug-92	DOA	LEC assessed	NO	3.0 MM			YES	

Minnesota TRS Phone Survey August 1992

OPERATIONS										
State	Operator	CA Pay Range	CA Fringes	Union	Turnover	RATIO: SUPs/CAs	Levels of Sup	Complaint Pro	CAs Monit	Adv Council
Alabama	AT&T	\$7.50 BASE	FULL	NO		1 TO 20	3	YES	YES	YES
Arizona	FPO	\$5.50-\$7.00+	FULL	NO	50% TRAINING 25% ANNUAL	1 TO 11	3	YES	YES	NO
California	SPRINT			NO					YES	YES
Colorado	SPRINT	ABOVE MIN. WAGE	FULL			1 TO 8	3	NO	YES	YES
Connecticut	FPO	\$8.50-11.50	SOME	NO	LOW	1 TO 10	3	NO	YES	NO
Florida	MCI		FULL	NO			4	YES		YES
Indiana	SPRINT	\$6.75-\$9.50	FULL	NO	20% (EST.)	1 TO 8 (est.)		YES	YES	YES
Iowa	SPRINT	ABOVE MIN. WAGE	FULL	NO	VERY LOW	1 TO 8	3	YES	YES	YES
Kentucky	AT&T	\$7.50 BASE	FULL	YES		1 TO 20	3	YES	YES	YES
Louisiana	MCI						3	YES	YES	YES
Maryland	SPRINT	\$6.85 BASE	FULL	NO	VERY LOW	1 TO 17	2	YES	YES	YES
Michigan	MICH. BELL	\$5.97-12.40	FULL	YES	10%	1 to 32	2	YES	NO	YES
Minnesota	NPO	\$6.50-7.25	FULL	NO	40%	1 TO 11	3	NO	NO	NO
Missouri	SPRINT	ABOVE MIN. WAGE	FULL	NO	VERY LOW	1 TO 11	3	NO	YES	YES
Nebraska	HAMILTON	\$5.25-6.50	FULL	NO		1 TO 8	4	YES	YES	YES
New York	AT&T		FULL	NO		1 TO 20	2	YES	YES	YES
Oklahoma (405)	FPO	\$4.25-\$5.25	NONE	NO		1 TO 6	2	NO	NO	YES
Oklahoma (918)	NPO	\$5.60-7.50	SOME	NO	10%	1 TO 6	2	YES	NO	YES
So. Carolina	SPRINT	ABOVE MIN. WAGE	FULL			1 TO 15	3 (est.)		YES	YES
So. Dakota	NPO/SPRINT	\$5.50-6.00	NONE	NO	5%	1 TO 5	2	YES	YES	YES
Tennessee	AT&T	\$7.50 BASE	FULL	YES	LOW	1 TO 20	3	YES	YES	YES
Utah	NPO	\$5.50-6.75	FULL	NO	5%	1 TO 11	2	YES	YES	YES
Washington	NPO	\$9.07-10.95	SOME	NO	25%	1 TO 10	4	YES	YES	YES
Wisconsin	MCI	\$6.75-8.50	FULL	NO		1 TO 8	3	YES	YES	YES

Minnesota TRS Phone Survey August 1992

Page 1 - ADMINISTRATION

<u>Column Heading</u>	<u>Description</u>
Operator	A description of the operator of the local TRS. If a telephone company, its name is given. If a non-profit organization, we list as NPO. If a for-profit organization, we list as FPO. In the case of South Dakota, a non-profit organization has the contract to run the relay and has subcontracted to Sprint Services to handle interstate calls.
Date Estab	The month and year during which the local TRS began full operations.
Oversight	The name or type of organization to whom the local TRS reports.
Funding Mech	Description of how funds are made available for operation of the TRS. Surcharge usually means a charge monthly on each telephone line within the state and which is listed on the customers' telephone bills. RateBase is a second method of raising funds to pay for the relay service: in this case, the relay cost is added to the base rates of the telephone companies. Combo indicates a base rate/surcharge hybrid. LEC assessed indicates that the local telephone companies are assessed fees based on receipts. In this case, costs are not passed on to the public. Please note also that some surcharges, assessments, and rate base charges are subject to taxes (federal, state and county) and some are not. For exact definitions, please refer to the responsible person/persons listed in Appendix A.
EDP Funded	This indicates whether there is a state program for equipment distribution which is funded by the same source as the TRS.
TRS \$ for FY	This figure represents the cost of the TRS and any connected administrative, outreach and other services directly tied to the TRS. Figures are given in millions of dollars and are for FY 1992.
Outgoing Call Vol for FY	Number of outgoing calls recorded for the past fiscal year.

Cost Per Outgoing Call	This is the cost in dollars for each outgoing call from the TRS in the last fiscal year. The dollar value is determined by dividing the figure in the column headed TRS \$ for FY by the number of calls in the column headed Outgoing Call Vol. for FY for each state or individual TRS.
FCC Comply	This is an indication of how the TRS is moving towards the FCC certification which will come into effect next July 26. A "YES" in this column means that the TRS has back-up power, voice carry-over and that it answers 85% of incoming calls within 10 seconds. A "NO" means that at least one of the three factors are not in place. Of course there are other requirements for FCC certification but they were not measured in this survey
Restrictions	Any restrictions placed on the consumer by the local TRS are listed here. They are in the main self-explanatory. "recorders" means no calls to recorded messages. "sent paid" refers to calls made from a public telephone where the deposit of coins is required.

Page 2 - OPERATIONS

CA Pay Range	This indicates whatever information was given by the individual state oversight agency or by the TRS operator on the pay range given to the Communications Assistant or operator. In many cases only the base or starting amount was given; in some others, all that would be said was "above minimum wage" and that is entered.
CA Fringes	This column is an attempt to show the spread of fringes paid to the CAs. "FULL" in general means that health insurance, sick leave and paid vacation are available (in some cases, CAs were eligible for life insurance in addition; one TRS has a profit-sharing plan in which the CAs participate). "SOME" means that there are no comprehensive health plans but that sick leave and/or vacation are paid. "NONE" means just that.
Union	This indicates with a "YES" of a "NO" whether or not the CAs in the TRS are members of a union.

Turnover Many TRSs were not willing to give a figure on the annual turnover of the CAs. (This can be figured in one of several ways; an easy method is to figure average number of CAs employed and divide this number into the number of CAs who left TRS service in the period.) Only one TRS indicated figures both for the training period and the annual rate: this would be an interesting measure. The answers "LOW" and "VERY LOW" were quite subjective and depended on the method of response to the question. Of those TRSs which did give a percentage response, the average is 17.5%.

RATIO:SUPs /CAs This number indicates the ratio of direct supervisors to CAs: a 1 to 20 response means that there were 20 CAs for every supervisor. Here both supervisor and CA are defined as full time equivalent persons. Direct supervisor is defined as the position to which the CA reports and does not refer to higher levels of supervision.

Levels of Sup The number in this column indicates how many levels of management there are in each local TRS. About half have three levels: a manager, one or more assistant managers and the direct supervisors. No consideration is given here to staff positions such as outreach supervisor, human resource director, interpreter, etc.; the question refers only to line positions.

Complaint Pro The question asked here was whether there was a written, formal complaint procedure for TRS customers which was given to the CA during training and was followed up through daily, weekly and/or monthly reports.

CAs Monit. Here the survey asked if there was a program of random monitoring of CAs while they are relaying calls.

Adv Council Finally, the intention was to indicate whether or not there was some sort of advisory council in place to provide guidance to the TRS and to ensure the involvement of the speech and hearing impaired communities. This does not include boards of directors or other supervisory groups which may have significant consumer representation.

All the information on the matrix was obtained by phone survey. Responders were then sent a fax requesting verification of the information provided and requesting a response if there were any corrections. Ten days were allowed for the response before that information was put into the final survey report. Hence, we believe that all information in the survey is correct, but neither TACIP nor the State of Minnesota is responsible for any inaccuracies in the Survey.

Appendix C

Application for FCC Certification



STATE OF MINNESOTA
TELECOMMUNICATIONS ACCESS FOR
COMMUNICATION IMPAIRED PERSONS BOARD
(TACIP)

Report to the
Federal Communications Commission

September 28, 1992
Saint Paul, Minnesota



State of Minnesota
**TELECOMMUNICATIONS ACCESS FOR
COMMUNICATION-IMPAIRED PERSONS BOARD**
Centennial Building, First Floor North
658 Cedar Street
Saint Paul, Minnesota 55155-1603

(612) 296-0412 Telephone
(612) 296-9863 TDD
(612) 297-5368 FAX

TO : Federal Communication Commission,
Chief, Common Carrier Bureau,
TRS Certification Program
Washington, D.C. 20554

FROM: Bill Lamson, Administrator,
Telecommunications Access for Communication Impaired Persons
(TACIP) Board, State of Minnesota

SUBJ : TRS State Certification Application

DATE : September 28, 1992

This is an application for state certification of the Minnesota Relay Service (MRS) in accordance with the FCC's Report and Order 91-213 cc Docket No. 90-571 adopted July 11, 1991.

The TACIP Board was created by statute in 1987. The specific legislation is found in Appendix A of this memo entitled Minnesota Statutes Chapter 237, Telephone and Telegraph Companies, Division 237.50-237.56, pages 5473 to 5476. The purpose of the TACIP Board is to make the telephone network in Minnesota accessible to communication-impaired people (both speech- and hearing-impaired). Two programs were established to accomplish this goal; the Equipment Distribution Program (EDP) and the Minnesota Relay Service (MRS). The programs are funded by a ten cent surcharge on each telephone line in Minnesota. The Board is responsible for development of services, setting of policy, and the developing of contracts for the provision of service. It provides a report annually to the Minnesota Public Utilities Commission; a copy of the Fifth Annual Report dated December 31, 1991 is attached to this memorandum as Appendix B.

The Board has twelve members: five consumer representatives, one professional in the area of communication disabilities, the commissioner of the Department of Human Services or the commissioner's designee, the commissioner of the Department of Administration or the commissioner's designee, one representative from the telephone company providing local exchange service to the largest number of people, a representative from the Minnesota Telephone Association, one person representing InterLata interexchange telephone service, and one person to represent the organization operating the MRS.

TACIP enabling legislation required that the TACIP Board contract with a local consumer organization serving communication-impaired persons for the operation of the MRS. The contract was let to the Deafness Education Advocacy Foundation Inc. (D.E.A.F.) and this group is presently operating the MRS. D.E.A.F.'s contract expires June 30, 1993. Appendix C of this memorandum describes D.E.A.F. and its overall services.

The contractor's main responsibility is to operate the Minnesota Relay Service on a 24-hour, seven days per week basis by providing staff (including operators), an office location, an operations manual, local telephone lines, publicity and other duties it deems necessary to carry out the contract within budgetary constraints, while exercising fiscal management of the funds made available through the contract.

The MRS is a PBX telephone (Isotech ACD) system which distributes calls to operators (CAs) who manage incoming and outgoing telephone lines. The PBX switches the incoming and the outgoing calls through the MRS center. MRS uses Intelmodems and IBM 50Z personal computers.

The MRS commenced full service on March 1, 1989. TACIP owns, maintains and updates the relay equipment as necessary.

As requested in the FCC Report and Order, there follows a narrative description of the TACIP-administered MRS together with a timetable for meeting the operational, technical and functional standards listed in the Report and Order [Paragraph 64.605 (b) (1)].

The procedures and remedies for enforcing any requirements imposed by the state program fall under 237.081 of Minnesota Statutes (Appendix A, pages 5459 and 5460). The appropriate commissions are the Minnesota Department of Public Service and the Minnesota Public Utilities Commission. Both are located on the 7th Floor, American Center Building, 150 East Kellogg Boulevard, St. Paul, MN 55101 [Paragraph 64.605 (b) (2)].

Operational Standards [Paragraph 64.604 (a)]

All the following operational standards are being met or will be met by July 1, 1993 by the MRS:

- MRS has formal hiring and training procedures which ensure that all Communications Assistants (CAs) are sufficiently trained to meet effectively the specialized communications needs of individuals with hearing and speech disabilities, that the CAs have competent skills in typing, grammar, spelling, interpretation of typewritten ASL, and that the CAs are familiar with hearing and speech disability cultures, languages and etiquette. Please see Appendix D for current CA job descriptions and Appendix E for a copy of the MRS CA Training Agenda.
- Modifications will be made to the job descriptions and to the training process as required by any new FCC orders.
- MRS follows the FCC's mandatory minimum standards for CA confidentiality and conversation content. CAs are prohibited from disclosing the content of any relayed conversation regardless of content and are also prohibited from keeping records of the content of any conversation beyond the duration of a call.
- CAs are prohibited from intentionally altering a relayed conversation and must relay all conversation verbatim unless the relay user specifically requests summarization.
- CAs at the MRS are currently prohibited from refusing single calls or limiting the length of any calls utilizing relay services.
- The Minnesota Relay Service is capable of handling any type of call normally provided by common carriers. MRS can handle emergency calls in the same manner as any other calls to the relay.

The following operational standards are not being met by the MRS:

- CAs are currently not accepting sequential calls. A change in this policy will be in place by July 1, 1993 and from that date on CAs will be prohibited from refusing sequential calls.

In summary, then, MRS meets all of the operational standards set forth in the FCC Report and Order except for sequential calls and this will be remedied on or before July 1, 1993.

Technical Standards [Paragraph 64.604 (b)]

All of the following technical standards are currently being met by MRS:

- MRS has the capability of communicating with ASCII and Baudot format automatically at speeds up to 300 baud.
- MRS does, except during network failure, answer 85% of all calls within 10 seconds. No more than 30 seconds elapse between receipt of dialing information and the dialing of the requested number.
- MRS users have carrier of choice.
- The MRS operates every day, 24 hours a day.
- The MRS transmits conversations between TT and voice callers in real time.
- TACIP takes the position that access to improved technology is a major objective of its oversight of MRS.

The following technical standards are not currently being met by MRS but will be instituted as discussed below:

- The MRS will have a system of uninterruptible power by July 1, 1993.
- Voice carry-over and hearing carry-over services will be provided MRS users no later than July 1, 1993.

In summary, then, MRS meets all of the technical standards set forth in the FCC Report and Order except for uninterruptible power and voice/hearing carry-over and this will be remedied on or before July 1, 1993.

Functional Standards [Paragraph 64.604 (c)]

All of the following technical standards are currently being met by MRS:

- In accordance with the ADA law and with the FCC Report and Order, carriers in Minnesota are obliged to ensure adequate public access to information on MRS. TACIP assumes the responsibility to notify all carriers of this need.
- Users of MRS pay rates no greater than the rates paid for functionally equivalent voice communication for all intrastate calls and it is TACIP's intention to continue this policy.

(Functional Standards, continued)

- MRS does not experience any interstate costs. All interstate calls are placed through the carrier of the caller's choice and billed to the user's home phone, calling card account, or to a third party. Hence cost recovery under (4) (ii) is not a factor in its operations.
- Minnesota legislation provides for an adequate complaint procedure (see Division 237.081, Appendix A). TACIP agrees to operate the MRS in accordance with the complaint procedure described in (5) of the FCC Report and Order.

TACIP will inform the FCC when the following deficiencies in the operation of the MRS have been corrected:

- CAs will begin accepting sequential calls no later than July 1, 1993.
- MRS will have an uninterruptible power source installed and in operation by July 1, 1993.
- Voice carry-over and hearing carry-over will be in operation no later than July 1, 1993.

Please let me know if any further information is needed to process this TRS State Certification Application.

BL:ea

Attachments

Appendix D

Summary of Recommended Changes in TACIP Legislation

TACIP BOARD
Telecommunications Access for Communication Impaired Persons
Recommended Changes to the TACIP Statute
MN stat 237.50 thru 237.56

The following is a summary of the Telecommunications Access for Communication Impaired Persons (TACIP) Board recommendations to the Public Utilities Commission for the continuation of the Equipment Distribution Program (EDP) and the Minnesota Relay Service (MRS).

BACKGROUND

The TACIP Board Legislative Committee began meeting in February of this year to develop legislative recommendations to be made to the Public Utilities Commission (PUC). The committee extended invitations to representatives from the Minnesota Association of Deaf Citizens (MADC) and the Self Help for Hard of Hearing Minnesota Chapter (SHHH) to gain perspective from those segments of the consumer population served by the TACIP programs. On September 28, 1992, the TACIP Board approved the recommendations.

The Board conducted a series of public meetings around the state in an effort to find out how consumers and other interested individuals felt about TACIP services and to receive input on recommendations for new legislation. Meetings were held in St. Paul, Mankato, Fergus Falls, and Duluth. Promotional flyers were distributed to various groups, organizations and individuals around the state to promote the public meetings. A fact sheet explaining the make-up of the Board, services administered by TACIP, and a summary of proposed legislative changes was distributed at each meeting. Comments from meeting participants and from correspondence to the Board were tallied and reviewed by the Board.

In an effort to determine how Minnesota programs compared to programs in other states, the Board conducted a nationwide survey of equipment distribution programs and telecommunications relay services (TRS). Both surveys were conducted over the telephone and the data collected was then sent back to the responders to verify the accuracy of the information. Corrections were incorporated into survey results.

The EDP survey revealed that Minnesota has one of only two comprehensive programs in the country that distribute telecommunications devices for the deaf (TDD) and provide a wide range of special customer premises equipment to meet the needs of all qualified communication impaired persons. A consumer satisfaction survey recently completed by the Minnesota Department of Human Services (DHS) indicates consumers are very satisfied with the service.

The telecommunications relay service (TRS) survey showed that Minnesota operates the most cost effective relay in the country and is one of only four non-profit or not-for-profit organizations providing relay services. However, the TRS survey also indicates that Minnesota lags behind most other states in terms of desirable features in relay service such as voice and hearing carryover, intrastate long distance billing capability, and full compliance with Federal Communications Commission standards for TRS that take effect 7/26/93. The EDP and TRS survey results are available upon request.

To determine the costs of the Board's legislative recommendations, DHS and DEAF, Inc. were asked to develop cost projections for fiscal years 1994 through 1998. The results indicate a need for an increase in the current surcharge. The total costs for TACIP

administration and its programs are enclosed along with revenue projections at several different surcharge levels.

Specific recommendations for changes in the TACIP legislation are identified in the attached proposed legislation and as follows:

1. The terminology used throughout the statute should be revised to coincide with with the language used by the Federal Communications Commission, i.e. "message relay service" to be changed to "telecommunications relay service" (Line 41 and throughout the law). The exception is the term "text telephone" used by the FCC for "telecommunications device for the deaf" . The deaf community expressed a strong desire to keep the former term in the TACIP statute and the board agreed.
2. Include "mobility impaired" people in the definition of "communication impaired" so the challenges faced by this segment of the population in using standard customer premises equipment (CPE) are recognized as an impairment in terms of using the telephone system (Lines 11 and 38 through 39).
3. The term "telebraille" be changed to "brailleing device designed for use on the telephone" (Line 17). Telebraille is a brand name and it is not the only brailleing device that may be suitable for deaf/blind people.
4. The term "auxiliary equipment" be eliminated and "any other equipment" added to better describe the wide range of devices needed to meet the divergent needs of communication impaired people (lines 17, 18 & 19).
5. A new sunset date of June 30, 1998 should be established for the TACIP programs so the entire operation will be reviewed in 5 years (Lines 51 and 52)
6. The number of TACIP Board members be changed from twelve to sixteen so four additional consumer representatives can be added (Line 59).
7. The number of consumer representatives on the Board be raised from five to nine, at least four of whom must reside outside the seven county metropolitan area at the time of appointment. At least five consumer representatives must be culturally deaf, one must be speech impaired, one must be hard of hearing, one must be mobility impaired, and one must be post-vocationally deaf (Lines 64 through 68).
8. The Board be given flexibility in the number and classification of staff it needs to meet its responsibilities under the law (Lines 100, 102, & 113).
9. Eliminate the requirement to study the potential impact of the program on local vendors. An economic impact study has been completed and steps have been taken to alleviate any economic harm to local vendors (Lines 105 through 108).
10. Raise the amount of the surcharge cap from 10 cents to 30 cents for each customer access line so the TRS can be enhanced to meet growing demand and comply with FCC standards and to serve all qualified communication impaired persons through the EDP. The commission would still be responsible for determining the actual surcharge level. (Line 134).
11. Eliminate the age requirement to qualify for EDP and add the requirement that the person benefit from the use of the equipment. This will enable children under the age of five who qualify to receive services from EDP (Line 176).

12. Eliminate the income guidelines for receiving telecommunications devices. This will enable all communication impaired telephone subscribers, regardless of their economic status, to benefit from TACIP services (Lines 179 through 183).

13. Provide the Board with flexibility if the Department of Human Services does not comply with its contract to administer the equipment distribution program (lines 190 through 193).

14. State clearly in the statute that the Board has the responsibility to insure compliance with FCC standards for the operation of TRS (Line 221 through 223).

15. Require the Board to contract with a local consumer organization that serves communication impaired persons for operation of the TRS. However, the Board will have the flexibility to contract with another organization if the local consumer organization does not comply with its contract (Lines 225 through 227).

16. Eliminate the Board's reporting requirement to the PUC for the development and implementation of the TACIP services. Since the reports have been submitted and the services are now established and operating, this language is no longer necessary. The Board will still be required to submit an annual report to the commission corresponding to the dates of the new five-year sunset period (Lines 242 through 250 and 259).

Appendix E

Proposed Language for TACIP Legislation

1
2 **Communication-Impaired Persons**

3
4 **237.50 Definitions**

5 Subdivision 1. **Scope.** The terms used in sections 237.50 to 237.56 have the
6 meanings given them in this section.

7 Subd. 2. **Board.** "Board" means the telecommunication access for
8 communication-impaired persons board established in section 237.51.

9 Subd. 3. **Communication impaired.** "Communication impaired" means
10 certified as deaf, severely hearing impaired, hard of hearing, speech impaired or,
11 deaf and blind or mobility impaired when the impairment impedes the ability to
12 use standard customer premises equipment.

13 Subd. 4. **Communication device.** "Communication device" means a device
14 that when connected to a telephone enables a communication-impaired person to
15 communicated with another person utilizing the telephone system. A
16 "communication device" includes a ring signaler, an amplification device, a
17 telephone device for the deaf, a brailing device for use with a telephone with any
18 auxiliary and any other equipment the board deems necessary, ~~and a telebraille~~
19 ~~unit.~~

20 Subd. 5. **Exchange.** "Exchange" means a unit area established and described
21 by the tariff of a telephone company for the administration of telephone service in
22 a specified geographical area, usually embracing a city, town, or village and its
23 environs, and served by one or more central offices, together with associated
24 facilities used in providing service within that area.

25 Subd. 6. **Fund.** "Fund" means the telecommunication access for
26 communication-impaired persons fund established in section 237.52

27 Subd. 7. **Interexchange service.** "Interexchange service" means telephone
28 service between points in two or more exchanges.

29 Subd. 8. **Inter-LATA interexchange service.** "Inter-LATA interexchange
30 service" means interexchange service originating and terminating in different
31 LATAs.

32 Subd. 9. **Local access and transport area.** "Local access and transport area
33 (LATA)" means a geographical area designated by the Modification of Final
34 Judgment in U.S. v. Western Electric Co. Inc. 552 F. Supp. 131 (D.D.C. 1982),
35 including modifications in effect on the effective date of sections 237.51 to 237.54.

36 Subd. 10. **Local exchange service.** "Local exchange service" means telephone
37 service between points within an exchange.

38 Subd. 11. **Mobility impaired.** "Mobility impaired" means the inability to use
39 standard telecommunications customer premises equipment due to a physical
40 impairment.

41 Subd. 12. **Message Telecommunication relay service.** "Message
42 "Telecommunication relay service" means a central statewide service through
43 which a communication-impaired person, using a communication device, may
44 send and receive messages to and from a non-communication-impaired person
45 whose telephone is not equipped with a communication device and through
46 which a non-communication-impaired person may, by using voice
47 communication, send and receive messages to and from a communication-
48 impaired person.

49 **History:** 1987 c 108 s 1; 1988 c 621 s 2

50 NOTE: This section, as added by Laws 1987, chapter 308, section 1, is repealed June 30, 1993.
51 See Laws 1987, chapter 308, section 8. **(New sunset date of June 30, 1998 will be**
52 **included by Revisor)**

53

54 **237.51 BOARD.**

55 Subdivision 1. **Creation.** The telecommunication access for communication-
56 impaired persons board is established to establish and administer a program to
57 distribute communication devices to eligible communication-impaired persons
58 and to create and maintain a message telecommunications relay service.

59 Subd. 2. **Members.** the board consists of ~~12~~ 16 persons to include:

60 (1) the commissioner of the department of human services or the
61 commissioner's designee;

62 (2) the commissioner of the department of administration or the
63 commissioner's designee;

64 (3) ~~five~~ nine communication-impaired persons appointed by the
65 governor at least four of whom reside outside the seven county Twin Cities
66 metropolitan area at the time of appointment, and at least five of whom are
67 culturally deaf, one of whom is speech impaired, one of whom is hard-of-hearing,
68 one who is post-vocationally deaf and one who is mobility impaired.

69 (4) one person appointed by the governor who is a professional in the
70 area of communications disabilities;

71 (5) one person appointed by the governor to represent the telephone
72 company providing local exchange service to the largest number of persons;

73 (6) one member of the Minnesota Telephone Association appointed by
74 the governor to represent the other affected telephone companies;

75 (7) one person appointed by the governor to represent companies
76 providing inter-LATA interexchange telephone service; and

77 (8) one person to represent the organization operating the message
78 telecommunications relay service to be appointed by the governor at the time the
79 board contracts with the organization pursuant to section 237.54.

80 Subd. 3. **Removal; vacancy; expenses.** The membership, terms,
81 compensation, and removal of members and the filling of membership vacancies
82 are governed by section 15.0575.

83 Subd. 4. **Meetings.** The board shall meet at least ~~monthly until December 31,~~
84 ~~1988, and at least quarterly thereafter.~~

85 Subd. 5. **Duties.** In addition to any duties specified elsewhere in sections
86 237.51 to 237.56, the board shall:

87 (1) define economic hardship, special needs, and household criteria so
88 as to determine the priority of eligible applicants for initial distribution of devices
89 and to determine circumstances necessitating provision of more than one
90 communication device per household;

91 (2) establish a method to verify eligibility requirements;

92 (3) establish specifications for communication devices to be purchased
93 under section 237.53, subdivision 3;

94 (4) enter contracts for the establishment and operation of the ~~message~~
95 telecommunications relay service pursuant to section 237.54;

96 (5) inform the public and specifically the community of communication
97 impaired persons of the program;

98 (6) prepare the reports required by section 237.55;

99 (7) administer the fund created in section 237.52;

100 (8) reestablish and fill the position of program administrator ~~whose~~
101 ~~position is in the unclassified service~~ and other positions required to conduct the
102 business of the board; the positions may be in the unclassified service;

103 (9) adopt rules, including emergency rules, under chapter 14 to
104 implement the provisions of sections 237.50 to 237.56; and

105 (10) ~~study the potential economic impact of the program on local~~
106 ~~communication device retailers and dispensers.~~ Notwithstanding any provision

107 of chapter 16B, the board shall develop guidelines for the purchase of some
108 communication devices from local retailers and dispensers if the ~~study~~ board
109 determines that otherwise they will be economically harmed by implementation
110 of sections 237.50 to 237.56.

111 Subd. 6. **Administrative support.** The commissioner of the department of
112 administration shall provide staff assistance not including the program
113 administrator and other board staff who ~~is~~ are to be chosen by the board,
114 administrative services, and office space under a contract with the board. The
115 board shall reimburse the commissioner for services, staff, and space provided.
116 The board may request necessary information from the supervising officer of any
117 state agency.

118 **History:** 1987 c 186 s 15; 1987 c 308 s 2; 1988 c 621 s 3; 1990 c 571 s 41; 1990 c
119 598 s 3; 1992 c 430 s 1-2; 1992 c 518 s 1

120 NOTE: This section, as added by Laws 1987, chapter 308, section 1, is repealed June 30, 1993.
121 See Laws 1987, chapter 308, section 8.

122

123 **237.52 FUND; ASSESSMENT.**

124 Subdivision 1. **Fund.** A telecommunication access for communication-
125 impaired persons fund is established as an account in the state treasury.
126 Earnings, such as interest, dividends, and any other earning arising from fund
127 assets, must be credited to the fund.

128 Subd. 2. **Assessment.** The board shall annually recommend to the
129 commission an adequate and appropriate mechanism to implement sections
130 237.50 to 237.56. The commission shall annually determine the funding
131 mechanism to be used within 60 days of receipt of the recommendation of the
132 program administrator and shall order the imposition of surcharges effective on
133 the earliest practicable date. The commission shall establish a monthly charge no
134 greater than ~~ten~~ thirty cents for each customer access line, including trunk
135 equivalents as designated by the commission pursuant to section 403.11,
136 subdivision 1.

137 Subd. 3. **Collection.** Every telephone company providing local service in this
138 state shall collect the charges established by the commission under subdivision 2
139 and transfer amounts collected to the commissioner of administration in the same
140 manner as provided in section 403.11, subdivision 1, paragraph (c). The
141 commissioner of administration must deposit the receipts in the fund established
142 in subdivision 1.

143 Subd. 4. **Appropriation.** Money in the fund is appropriated to the board to
144 implement sections 237.51 to 237.56.

145 Subd. 5. **Expenditures.** Money in the fund may only be used for:

146 (1) expenses of the board, including personnel cost, public relations,
147 board members' expenses, preparation of reports, and other reasonable expenses
148 not to exceed 20 percent of total program expenditures;

149 (2) reimbursing the commissioner of human services for purchases
150 made or services provided pursuant to section 237.53;

151 (3) reimbursing telephone companies for purchases made or services
152 provided under section 237.53, subdivision 5; and

153 (4) contracting for establishment and operation of the ~~message~~
154 telecommunication relay service required by section 237.54.

155 All costs directly associated with the establishment of the board and program,
156 the purchase and distribution of communication devices, and the establishment
157 and operation of the ~~message~~ telecommunications relay service are either
158 reimbursable or directly payable from the fund after authorization by the board.
159 Notwithstanding section 16A.41, the board may advance money to the contractor
160 of the ~~message~~ telecommunications relay service if the contractor establishes to
161 the board's satisfaction that the advance payment is necessary for the operation of
162 the service. The advance payment may be used only for working capital reserve
163 for the operation of the service. The advance payment must be offset or repaid by
164 the end of the contract fiscal year together with interest accrued from the date of
165 payment.

166 **History:** 1987 c 308 s 3; 1988 c 621 s 4; 1992 c 518 s 2

167 NOTE: This section, as added by Laws 1987, chapter 308, section 1, is repealed June 30, 1993.
168 See Laws 1987, chapter 308, section 8.

169

170 **237.53 COMMUNICATION DEVICES.**

171 Subdivision 1. **Application.** A person applying for a communication device
172 under this section must apply to the program administrator on a form prescribed
173 by the board.

174 Subd. 2. **Eligibility.** To be eligible to obtain a communication device under
175 this section, a person must be:

176 (1) ~~at least five years of age~~ able to benefit from the use of the device;

177 (2) communication impaired and/or mobility impaired;

178 (3) a resident of the state;

179 (4) ~~a resident in a household that has a median income at or below the~~
180 ~~applicable median household income in the state, except a deaf and blind person~~
181 ~~applying for a telebraille unit may reside in a household that has a median~~
182 ~~income no more than 150 percent of the applicable median household income in~~
183 ~~the state; and~~

184 (5) a resident in a household that has telephone service or that has
185 made application for service and has been assigned a telephone number.

186 Subd. 3. **Distribution.** The commissioner of human services shall purchase
187 and distribute a sufficient number of communication devices so that each eligible
188 household receives and appropriate device. The commissioner of human services
189 shall distribute the devices to eligible households in each service area free of
190 charge as directed by the board under section 237.51, subdivision 5. However, the
191 board may contract with another state agency or organization if the board
192 determines that the commissioner of human services is not in compliance with its
193 contract with the board.

194 Subd. 4. **Training; maintenance.** The commissioner of human services shall
195 maintain the communication devices until the warranty period expires, and
196 provide training, without charge, to first time users of the devices.

197 Subd. 5. **Wiring installation.** If a communication-impaired person is not
198 served by telephone service and is subject to economic hardship as determined by
199 the board, the telephone company providing local service shall at the direction of
200 the administrator of the program install necessary outside wiring without charge
201 to the household.

202 Subd. 6. **Ownership.** All communication devices purchased pursuant to
203 subdivision 3 will become the property of the state of Minnesota.

204 Subd. 7. **Standards.** The communication devices distributed under this
205 section must comply with the electronic industries association standards and
206 approved by the Federal Communications Commission. The commissioner of
207 human services must provide each eligible person a choice of several models of
208 devices, the retail value of which may not exceed \$600 for a communication
209 device for the deaf, and a retail value of \$7,000 for a telebraille device, or an
210 amount authorized by the board for a telephone device for the deaf with auxiliary
211 equipment.

212 Subd. 8. [Repealed, 1988 c 621 s 19]

213 **History:** 1987 c 308 s 4; 1988 c 621 s 5-8

214 NOTE: This section, as added by Laws 1987, chapter 308, section 1, is repealed June 30, 1993.
215 See Laws 1987, chapter 308, section 8.

216

217 **237.54 MESSAGE TELECOMMUNICATION RELAY SERVICE**

218 Subdivision 1. **Establishment.** The board shall contract with an inter-LATA
219 interexchange telephone service provider to establish a third-party ~~message~~
220 telecommunications relay service with an "800" number to enable
221 telecommunications between communication-impaired persons and non-
222 communication impaired persons.

223 Subd. 2. **Operation.** The board shall insure that the telecommunications relay
224 service is in full compliance with the standards established by the Federal
225 Communications Commission. The board shall contract with a local consumer
226 organization that serves communication-impaired persons for operation of the
227 message telecommunications relay system. However, the board may contract
228 with another organization if the board determines that the consumer organization
229 is not in compliance with its contract with the board. The operator of the system
230 shall keep all messages confidential, shall train personnel in the unique needs of
231 communication-impaired people, and shall inform communication-impaired
232 persons and the public of the availability and use of the system. The operator
233 shall not relay a message unless it originates or terminates through a
234 communications device for the deaf or a ~~telebraille device~~ braille device for use
235 with a telephone. The operator shall comply with the requirements of the
236 Americans with Disabilities Act.

237 **History:** 1987 c 308 s 5

238 NOTE: This section, as added by Laws 1987, chapter 308, section 1, is repealed June 30, 1993.
239 See Laws 1987, chapter 308, section 8.

240

241 **237.55 REPORTS; PLANS.**

242 ~~The board shall prepare a report for presentation to the commission not later~~
243 ~~than December 31, 1987, to include plans for distribution communication devices~~
244 ~~and establishing a third party message relay service and a recommendation for a~~
245 ~~funding mechanism pursuant to section 237.52, subdivision 2. The provision of~~
246 ~~service required under section 237.50 to 237.56 may begin when the plan is~~
247 ~~approved by the commission or March 1, 1988, whichever is earlier.~~

248 Beginning in 1988, Beginning in 1993, the board must prepare a report for
249 presentation to the commission by December 31 of each year ~~through the year~~

250 ~~1992.~~ through the year 1998. Each report must review the accessibility of the
251 telephone system to communication-impaired persons, review the ability of non-
252 communication-impaired persons to communicate with communication-impaired
253 persons via the telephone system, describe services provided, account for money
254 received and disbursed annually for each aspect of the program to date, and
255 include predicted future operation until the final report.

256 The final report must, in detail, describe program operation and make
257 recommendations for the funding and service level for necessary ongoing
258 services. The commission may recommend changes in the program to the
259 legislature ~~by February 1, 1993~~ by February 1, 1998, for the future provision and
260 maintenance of the services.

261 **History:** 1987 c 308 s 7

262 NOTE: This section, as added by Laws 1987, chapter 308, section 1, is repealed June 30, 1993.
263 See Laws 1987, chapter 308, section 8.

264

265 **237.56 ADEQUATE SERVICE**

266 The services required to be provided under sections 237.50 to 237.56 may be
267 enforced under section 237.081 upon a complaint of at least two communication-
268 impaired persons within the service area of any one telephone company,
269 provided that if only one person within the service area of a company is receiving
270 service under sections 237.50 to 237.55, the commission may proceed upon a
271 complaint from that person.

272 **History:** 1987 c 308 s 7

273 NOTE: This section, as added by Laws 1987, chapter 308, section 1, is repealed June 30, 1993.
274 See Laws 1987, chapter 308, section 8.

275

276

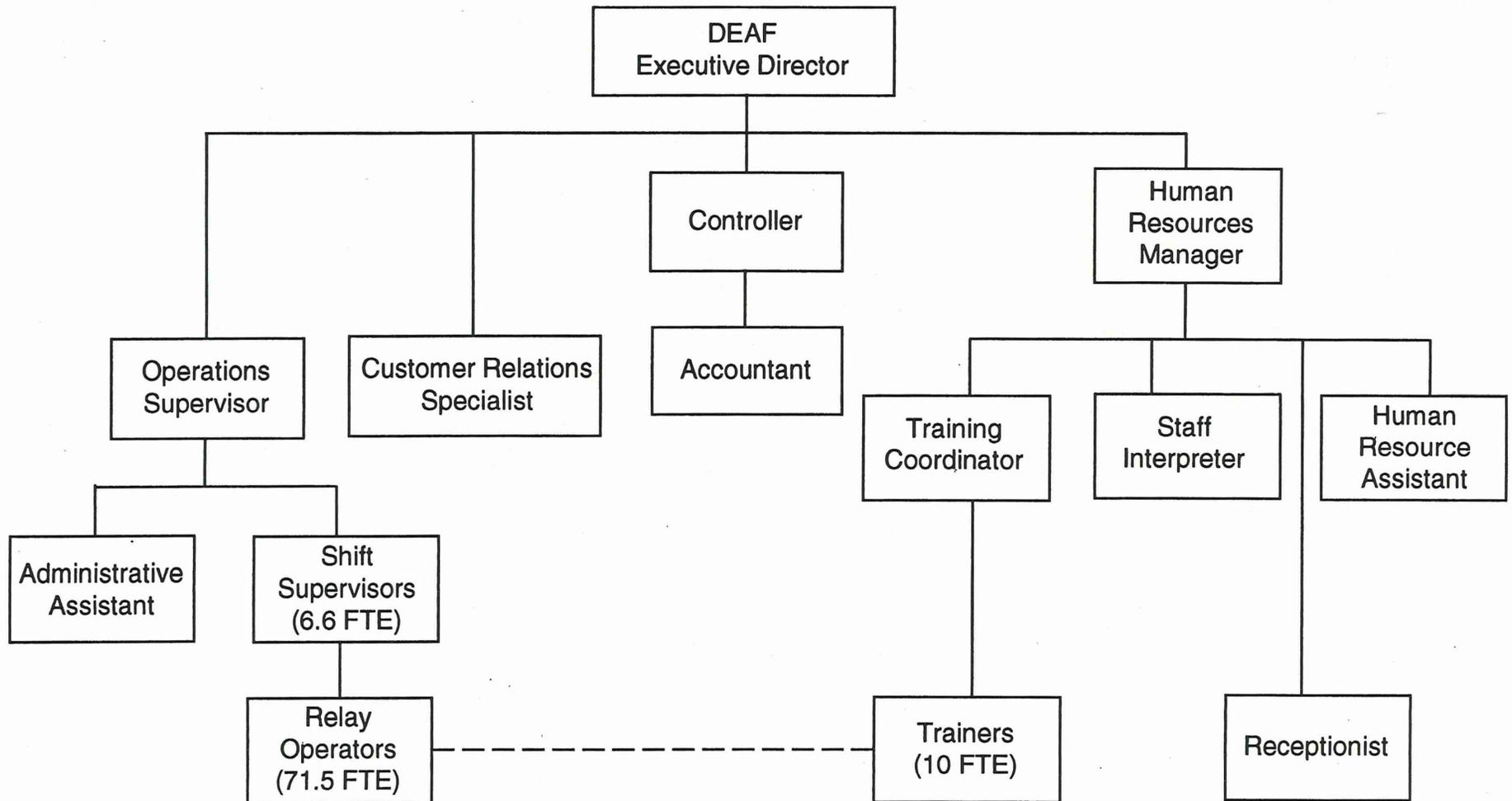
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Appendix F

Organizational Chart - MRS

Minnesota Relay Service Organizational Chart

December 7, 1992



Appendix G

Regional Representation of Households Served by EDP

Number of Households Served by EDP Program to Date (9/88 - 11/92)

**Upper
Northwest RSC Area**
Counties Served
Polk Beltrami
Lake of the Woods Kittson
Marshall Pennington
Roseau Red Lake
Clearwater

◆ Crookston
Office

867
Households

◆ Virginia
Office

**Northwest
RSC Area**
Counties Served
Becker Hubbard
Douglas Norman
Mahnomon Wadena
Ottertail
Todd
Clay
Grant
Wilkin
Traversee
Cass

953
Households

☆ Fergus
Falls

**Northeast
RSC Area**
Counties Served
Aitkin Cook
Itasca St. Louis
Carlton Koochiching
Lake

Duluth ☆

**East Central
RSC Area**
Counties Served
Chisago Mille Lacs
Isanti Stearns
Sherburne Pine
Crow Wing Morrison
Benton Wright
Kanabec

☆
St. Cloud

842
Households

Metro RSC Area
Counties Served
Anoka Carver
Dakota Hennepin
Ramsey Scott
Washington

2,793
Households
☆
St Paul

**West
Central RSC Area**
Counties Served
Chippewa Lac qui Parle
Stevens Pope
Swift Meeker
Kandiyohi McLeod
Yellow Medicine
Renville
Big Stone

◆ Willmar

617
Households

☆
Mankato

740
Households

☆ Rochester

**Southeast
RSC Area**
Counties Served
Olmsted Fillmore
Wabasha LeSueur
Houston Winona
Dodge Steele
Freeborn Mower
Rice Goodhue
Waseca

Southwest RSC Area
Counties Served
Faribault
Blue Earth Brown Cottonwood
Jackson Martin Murray
Rock Pipestone Nicollet
Sibley Redwood Watonwan
Lincoln Lyon Nobles

☆ RSC Office

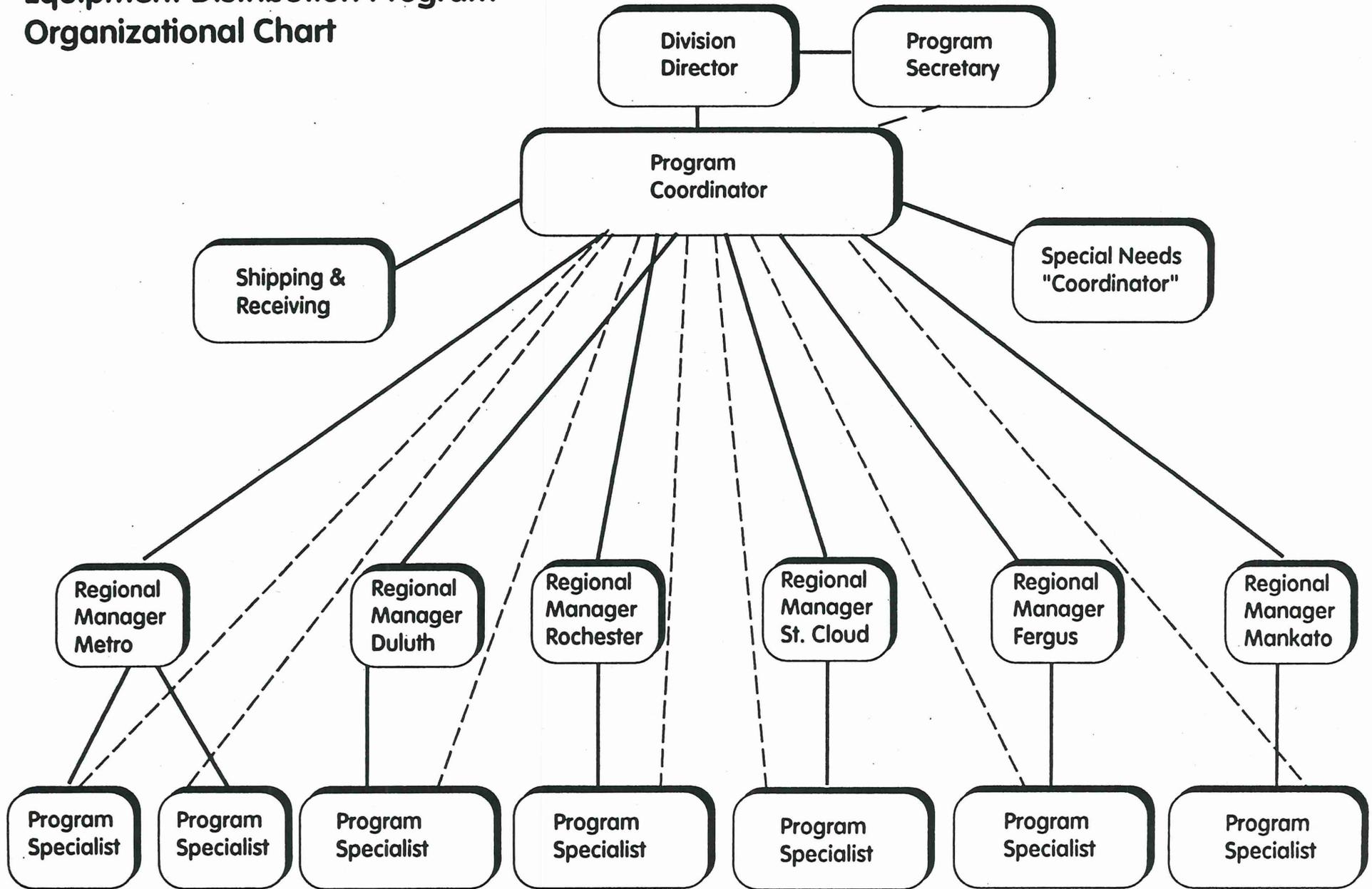
◆ One Person Office

There is no EDP representation in the one person offices, therefore, EDP clients in the Willmar region are served by St. Cloud, EDP clients in the Crookston area are served by Fergus Falls, and EDP clients in the Virginia area are served by Duluth.

Appendix H

Organizational Chart - EDP

Equipment Distribution Program Organizational Chart



----- Communication
———— Authority Regarding Equipment
Distribution Program

Appendix I

EDP Consumer Satisfaction Survey

Equipment Distribution Program Consumer Satisfaction Survey

July, 1992

In an effort to continue monitoring the quality and effectiveness of the services provided by the Equipment Distribution Program (EDP), a consumer satisfaction survey was mailed out to 210 recipients of EDP services. The survey attempted to measure the level of satisfaction of people who have received EDP services. To get the highest response rate possible, the survey was limited to seven yes or no questions. Included at the end of the survey was a comment section allowing the person responding to elaborate on their answers and/or give their name and address so EDP staff could follow up with additional information of services. Thirty consumers were selected from the case files of each program specialist for a total of 210. The selected consumers received service between January and June of 1992. To keep the survey as objective as possible, EDP staff were not told of the survey until after the questionnaires were mailed and the recipients were able to respond without revealing their identity. The results of the survey have been compiled for individual RSC offices and statewide.

STATEWIDE

Number of surveys mailed: 210 (30 for each program specialist)

Number of surveys returned: 154

Question #1

Are you satisfied with the telephone equipment you received?

Yes 147 No 3

Question #2

Are you currently using the equipment you received?

Yes 152 No 1

Question #3

Do you feel you were served in a timely manner?

Yes 147 No 3

Question #4

Did you receive enough training on how to use and install the equipment?

Yes 142 No 7

Question #5

Were your questions answered clearly and completely?

Yes 149 No 1

Question #6

Generally speaking are you happy with the service you received from the Equipment Distribution Program?

Yes 149 No 2

Question #7

Would you like us to contact you about the service and/or equipment you received?

Yes 19 No 111

The following is a sampling of comments received on the consumer satisfaction survey sent out by the Equipment Distribution Program in July 1992.

I sure like my new phone. So easy to dial and I can hear real good. I'm real glad for it. Thank you.

Would like a second phone if possible.

I've been able to stay in touch with the EDP in my area. When I don't understand how to use my TDD or if I have problems with it I can consult someone on it.

The telephone was hard for me to handle. We changed to my small lighted one. Otherwise the tone was good to hear. I like to sit when talking also to dial.

I appreciate having the phone and hearing the ring and also the voice of the caller much clearer.

I'm really happy with equipment. I've been really use the phone more and I can really hear good and hear excellent when it rings. It made a difference. I would like to thanks to you people that shows you cared for people who really needs help with their loss. Because we (people) are special in our hearts! Thanks a million! I'm really, really enjoyed it.

It makes it easier for me to hear. I have my nearby son's number on the one (in the memory) and I like that. I know that the equipment is returned to you when I am done.

If in my area you can stop and I can ask you about the light bulb on the lamp. Sometimes it won't go out after it rings.

(Referring to the program specialist) I couldn't have had anyone nicer.

I am glad I got it as I can hear it ring better. Thanks so much. Also the numbers are bigger so I can see them better.

We found the people who helped us with the equipment courteous and helpful.

I can't express enough my thanks for your help and equipment. Thank you.

My daughter is so happy as she does not have to repeat and repeat any more. It is a great help for me too and I can enjoy talking on the telephone.

Thanks very much. I just love it.

I am very happy with the telephone I received. It rings louder than the one I had before and I especially appreciate the Clarity control bar.

I really enjoy the phone. It seems so good to hear everyone so thanks again.

We finally have a phone we can hear above the TV and also think the Clarity system is extremely helpful for our hearing problems. We wish to thank you very much for this instrument.

I could not have received better service, your representative was excellent and the equipment is perfect. Thank you very much. I am very pleased.

If I have problems with the equipment, I can call the office in Fergus Falls, MN. I thank the people of the MN Dept. of Human Services for this helpful program.

Thank you so much. Before I missed a lot of calls without my hearing aids I could not hear the bell but now I can hear it anywhere in the house with or without my aids.

I want to thank all of you for the courteous and understanding way I was treated and the extra time to show me how the equipment worked.

The telephone not only amplifies the sound but it has the type of ringer I can hear. I am very pleased.

Did not or was not shown how to store numbers.

The telephone and service was very good. Thank you.

The phone is really wonderful. I didn't realize how much I was misunderstanding on my other phone until I got this one.

Would like to know more about how to set the mem. calls.

I am enjoy about my TDD. Thank you!

I am very pleased with the equipment I received and also for the complete instruction as to its use in a most helpful manner.

I am very pleased with the telephone. I used to dread a phone conversation as I missed so many words. Thank you so much.

Does not work right, people can't hear us very good.

I am very pleased with the equipment. I can go in any part of the house now and hear the phone - so I'm more relaxed.

I am so thrilled with my equipment that I don't have adequate words to describe my joy. Now I can lie down on the sofa, bed, etc and still hear the phone ring!

I am satisfied with my TDD although I do have a problem occasionally. It had nothing to do with that TDD but it is more likely from another TDD used by my friend.

I'm really happy with my phone. Now I can hear what people are saying and they can understand me when I talk to them. I'm not saying all the time sorry I can't hear you.

The phone my husband received is wonderful. After months of avoiding the phone because he couldn't hear the people on the other end he is talking all the time now without having the other party repeating everything. Thanks ever so much.