

Copy for:

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to Executive Director

RESOLUTION NO. T-11031

EVALUATION AND COMPLIANCE  
DIVISION

DATE: April 16, 1986

RESOLUTION\_\_\_\_\_  
Director\_\_\_\_\_  
Numerical File\_\_\_\_\_  
Alphabetical File\_\_\_\_\_  
Accounting Officer

**SUBJECT:** Deaf Equipment Acquisition Fund. Order authorizing collection and expenditure of monies in support of dual party relay operations. Resolution No. T-11031.

**WHEREAS:** The Deaf Equipment Acquisition Fund (D.E.A.F.) was established pursuant to Decision (D.) 92603, January 21, 1981, issued in OII 70. This fund receives the monies collected through a surcharge on the monthly billing for each telephone line, identified as "Per State Law - Communications Devices for the Deaf." As ordered in D. 92503, the fund pays for all equipment issued and for operating expense incurred by the local exchange companies in providing teletypewriter devices for the deaf as prescribed in Section 2881(a) of the Public Utilities (PU) Code; and,

**WHEREAS:** The Legislature initiated a second program, set forth in PU Code Sec. 2881(b), to provide a dual party relay system to enable communication between the profoundly deaf and persons of normal hearing. The Commission is proceeding with the implementation of this relay system pursuant to OII 84-12-026, as set forth in D. 85-08-915, D. 85-11-043, and D. 86-02-042; and,

**WHEREAS:** The Legislature in 1985 amended PU Code Sec. 2881 by adding Sec. 2881(d), providing that the same monthly surcharge shall be the funding source for all programs required to be implemented by Sec. 2881, the amount per line per month not to exceed \$0.10, and further providing that each such program have a separate fund and separate accounting.

The Commission finds that the Administrative Committee of the D.E.A.F. should be authorized and directed to collect and apply monies in implementation of the dual party relay system, and that the Fund's trust documentation should be modified accordingly; therefore, good cause appearing.

IT IS ORDERED that:

(1) The Deaf Equipment Acquisition Fund trust agreement dated December 30, 1981, shall be amended as authorized by Article VIII thereof to expand its purposes to include the funding of the program for dual party relay service described in Section 2881(b) of the Public Utilities Code, and the Administrative Committee of the Trust is hereby authorized and directed to take whatever steps are necessary to have the appropriate written amending language drafted and executed by the parties.

(2) Pursuant to Ordering Paragraph (1), the Executive Director is authorized and directed to execute consents on the part of the Commission to the revised agency agreements between the Administrative Committee of the Trust and Pacific Bell, General Telephone company of California, and Bank of America, submitted by the Administrative Committee.

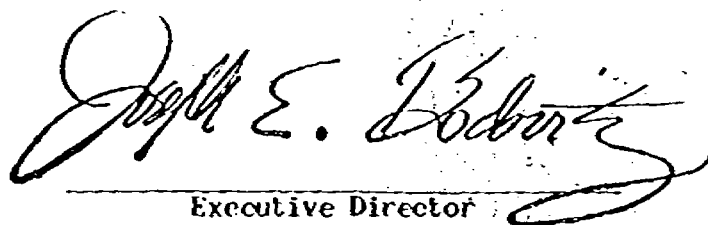
(3) The Administrative Committee shall institute a separate fund and separate accounting for the dual party relay program.

(4) The Executive Director shall serve a copy of this resolution by mail to Jerome W. Peterson, Chairman, D.E.A.F. Administrative Committee, Pacific Bell, 140 New Montgomery Street, Room 2190, San Francisco, CA 94105.

The effective date of this Resolution is today.

I hereby certify that the foregoing Resolution was duly introduced, passed and adopted at a regular meeting of the Public Utilities Commission of the State of California, held on April 16, 1986 the following Commissioners voting favorably thereon:

DONALD VIAL  
President  
VICTOR CALVO  
PRISCILLA C GREW  
FREDERICK R DUDA  
Commissioners

  
Executive Director