

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Telecommunications Branch
Commission Advisory & Compliance Division

RESOLUTION T-14079
June 6, 1990

R E S O L U T I O N

RESOLUTION T-14079. RESOLUTION ADOPTING THE CHARTERS OF THE EQUIPMENT PROGRAM ADVISORY COMMITTEE AND THE CALIFORNIA RELAY SERVICE ADVISORY COMMITTEE OF THE DEAF AND DISABLED TELECOMMUNICATIONS PROGRAM.

BY COMPLIANCE FILING WITH THE COMMISSION'S EXECUTIVE DIRECTOR PURSUANT TO DECISION 89-05-060 MADE BY THE DEAF AND DISABLED TELECOMMUNICATIONS PROGRAM ADMINISTRATIVE COMMITTEE.

SUMMARY

By this Resolution the Commission modifies and ratifies the Charters of the Equipment Program Advisory Committee (EPAC) and the California Relay Service Advisory Committee (CRSAC), in the Deaf and Disabled Telecommunications Programs provided pursuant to Public Utilities Code Section 2881 and following.

The Charters were submitted by letter from the Deaf and Disabled Telecommunications Program Administrative Committee (DDTPAC) to the Commission's Executive Director, in compliance with our Decision No. 89-05-060.

We make minor Charter revisions clarifying member appointment and removal, to be consistent with our consideration of the DDTPAC Charter, Resolution T-14060, June 6, 1990.

We modify the Charter sections concerning Indemnification by inserting appropriate language prepared by the Commission's Legal Division pertaining to Committee member indemnification as uncompensated servants of the Commission pursuant to sections 810.2, 825 et seq., and 995 et seq. of the Government Code.

The revised EPAC Charter we adopt is attached as Appendix A to this Resolution. The revised CRSAC Charter we adopt is attached as Appendix B to this Resolution.

BACKGROUND

By our Decision No. 89-05-060, May 26, 1989, in Investigation No. 87-11-031, we renamed the Equipment Standardization Advisory Committee the Equipment Program Advisory Committee (EPAC) and we

created a new committee, the California Relay Service Advisory Committee (CRSAC). We ordered the Deaf and Disabled Telecommunications Program Administrative Committee (DDTPAC) to submit proposed Charters for the EPAC and the CRSAC to the Commission's Executive Director for our approval.

On February 21, 1990, the DDTPAC submitted the EPAC Charter to the Commission's Executive Director by letter; minor revisions (typographical) were made by the DDTPAC and communicated to the Executive Director on May 1, 1990.

On April 19, 1990, the DDTPAC submitted the CRSAC Charter to the Commission's Executive Director by letter.

DISCUSSION

We would like to compliment the EPAC and the CRSAC, as well as the DDTPAC, for the fine effort and consideration the members have expended in the preparation of the proposed Charters.

After discussions between the Commission's Executive Director and the Chairs of the Committees, including the Committee's Executive Director, we adopt the Charters with minor changes to reflect the understanding reached on duties and responsibilities of the Committees as detailed in our order in response to the the D.E.A.F. Trust Administrative Committee's (precursor to the DDTPAC) Petition A.89-04-023.

The changes we adopt for the EPAC and CRSAC Charters are consistent with the modifications we have made for the DDTPAC Charter in our Resolution T-14060, June 6, 1990.

We have reviewed the EPAC Charters to ensure that the duties and responsibilities contained therein are consistent with our earlier decision D.87-04-028 (concerning cost effectiveness of equipment recommendations), the Public Utilities Code Section 2881 (f) (concerning efficiency of the relay system and equipment program distribution), and our ruling in the D.E.A.F. Trust Administrative Committee's Petition, A.89-04-023.

PROTESTS

Discussion of the proposed Charter was held at noticed meetings of the DDTPAC, EPAC, and the CRSAC. No protests to the proposed Charters have been received by the Commission.

FINDINGS

1. The DDTPAC has complied with the Commission's order in D.89-05-060, and has submitted proposed Charters for the EPAC and the CRSAC.
2. The Commission thanks the DDTPAC, EPAC, and the CRSAC for the members' efforts and approves the Charters as modified and contained in Appendices A and B to this Resolution.

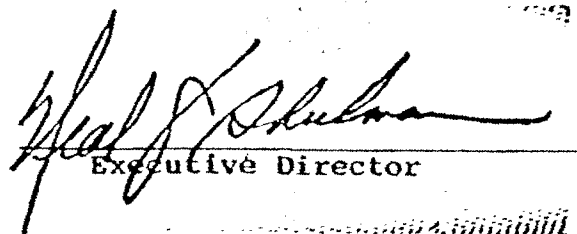
Resolution T-14079
June 6, 1990

THEREFORE, IT IS ORDERED that:

1. The Charters submitted by the DDTPAC to the Commission's Executive Director are approved as modified herein (EPAC - See Appendix A; CRSAC - See Appendix B).
2. The Commission's Executive Director shall send a copy of this Resolution to the DDTPAC with the request that the DDTPAC modify the Charters of the EPAC and the CRSAC to conform with those approved herein by the Commission (Appendices A and B). The DDTPAC shall communicate to the Commission's Executive Director by letter when the change in the Charters have been made.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on June 6, 1990. The following Commissioners approved it:

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners


Executive Director

CORRECTION

**THIS DOCUMENT HAS
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TO ASSURE
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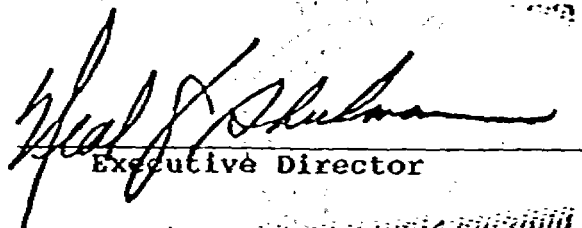
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APPENDIX A, T-14079
June 6, 1990

Charter

Equipment Program Advisory Committee
Deaf and Disabled Telecommunications Program

CHARTER
OF THE
DEAF AND DISABLED TELECOMMUNICATIONS PROGRAM
EQUIPMENT PROGRAM ADVISORY COMMITTEE

I. NAME

The name of the committee shall be the Equipment Program Advisory Committee (referred to hereafter as "the Committee).

II. PURPOSE

The Committee's general purpose is advisory to the Deaf and Disabled Telecommunications Program Administrative Committee in connection with equipment programs mandated by Section 2881 of the Public Utilities Code for providing telecommunication access for persons who are deaf, severely hearing impaired or disabled, and to recommend and update, as new technology is developed, a standard equipment list for programs, to develop procedures for evaluating new products, and to make recommendations for policy changes with respect to quality of both equipment distribution and service provision.

III. MEMBERSHIP

A. Members. The Committee shall be comprised of seven voting members and two non-voting members as follows:

1. Voting members shall include:

(a) Three Utility Members - one from Pacific Bell, one from GTE California and one from the California Telephone Association;

(b) Four Consumer Members - two from the disabled community, one from the hard of hearing community and one from the deaf community.

2. Non-voting members shall include:

(a) California Relay Service provider representative;

(b) Commission staff member as designated by the Executive Director.

B. Selection of Members. Potential members of the Committee shall be nominated to the Administrative Committee by the organizations they are to represent. The members of the Committee shall be recommended by the Administrative Committee for approval by the Commission's Executive Director, according to procedures preferred by the Commission.

C. Qualifications of Members. The qualification of members shall be established by the Administrative Committee in conjunction with the Commission. In general, members shall have professional or technical expertise sufficient to enable them to be conversant with the responsibilities of the Committee. Consumer members should be able to demonstrate organizational or other ties to the constituency they are representing, and in addition, they should not be employed by or represent the

interests of any vendors or distributors who are providing or who may in the future provide equipment or services for the equipment program.

D. Term of Appointments. The terms of the members of the Committee shall be staggered, with one-third of the membership of each committee appointed each year. Initial appointments shall be for terms of one, two or three years; thereafter members will be appointed for three-year terms. A member may be reappointed, but no member shall serve for more than two consecutive full terms.

E. Removal. Any member of the Committee may be removed at any time by the Commission's Executive Director for cause shown, in procedures preferred by the Commission.

F. Vacancies. Vacancies on the Committee shall be filled from nominations submitted by the organization or constituency whose vacancy is being filled. The membership of persons filling a vacancy shall be selected and approved by the Commission's Executive Director using procedures preferred by the Commission. Vacancies for expired terms will be filled by full term appointments; vacancies for unexpired terms will be filled for the remainder of the term.

G. Expenses. Consumer members of the Committee shall be entitled to appropriate reimbursement of expenses they incur in connection with their service on the Committee, but they shall not be entitled to any honoraria or per diem allowances. Consistent with Commission Resolution F-621, utility members are not eligible for expense reimbursement.

IV. DUTIES AND RESPONSIBILITIES

The Committee shall have the following duties:

- (A) To develop a Standard List of Telecommunication Devices for the program (hereafter referred to as the List);
- (B) Upon development of the first List, transmit it to the Administrative Committee for approval and submission to the Commission, and thereafter, in compliance with following paragraphs (C) and (D), amend the List and transmit it for approval;
- (C) To, at a minimum of three regular intervals each year, take into consideration new technology and advances in science and engineering and, if applicable, update the List;
- (D) To establish detailed written operating procedures for new product consideration, which will include field trial, engineering evaluation, review of cost-effectiveness, and basis for recommendations for adding any new product to the List.
- (E) To assess the feasibility of new program initiatives and improvements;
- (F) To provide policy recommendations relating to both equipment and service quality in the equipment distribution program to the Administrative Committee;

- (G) Other activities necessary and appropriate to accomplish the purpose and responsibilities of the Committee.

V. MEETINGS

A. General. The Committee shall hold such meetings as it shall decide are necessary or appropriate in order to carry out its functions. All meetings shall be open to the public, shall be noticed, shall be conducted pursuant to Robert's Rules of Order and shall be otherwise held in accordance with the provisions of Government Code Sections 11120 ff. Unless another location is specified in the notice, each meeting shall be held at the offices of the Administrative Committee.

B. Quorum; Voting. A majority (5) of the authorized number of members, or their designated representatives, shall be necessary to constitute a quorum for performing the Committee's functions. However, no action shall be taken at any meeting without a majority (4) of the total voting membership of the committee. A majority of the members present at a meeting, whether or not a quorum is present, may adjourn the meeting to another time and place. Any adjourned meeting shall be subject to the same notice requirements as a regular meeting.

C. Proxies. A member may be represented at any meeting by that member authorizing to the chair, verbally or in writing, a designated individual to represent that member at a specified,

noticed meeting. Any proxy may be revoked by verbal or written notice to the chair by the member who gave the proxy at any time before the meeting begins.

D. Agenda. Each notice of meeting shall be accompanied by an agenda setting forth the matters that are expected to be presented at the meeting. Each agenda shall include allotted time for public input. Except in an emergency and with the approval of a majority of the members present, the committee shall not consider at any meeting an item not on the agenda.

E. Participation. Members of the public and observers shall not be permitted to take part in any meeting unless recognized by the chair.

VI. OFFICERS

A. Two Officers. The Committee shall have a Chairperson and a Vice-Chairperson, both of whom shall be elected by a majority of the members to serve for one year.

B. Duties. The Chairperson shall be the executive officer of the Committee and shall have the general supervision and direction of the affairs of the Committee. The Chairperson shall preside at all meetings of the Committee. The Vice-Chairperson shall perform the duties of the Chairperson when the Chairperson is unavailable. The officers shall perform such other duties as from time to time may be prescribed by the Committee.

VII. AMENDMENTS

This charter can be amended by the vote of the majority of the members of the committee, but no amendment shall become effective until approved by the Commission.

VIII. INDEMNIFICATION

Members of the Committee, who are not members of the Commission staff, are uncompensated servants of the Commission and the State of California within the meaning of section 810.2 of the Government Code. The State will accordingly indemnify them as it indemnifies its compensated employees, and will provide them representation by the California Attorney General, for their acts done within the course and scope of the services they perform for the Committee, as provided in Government Code sections 825 et seq. and sections 995 et seq.

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June 6, 1990

APPENDIX B, T-14079
June 6, 1990

Charter

California Relay Service Advisory Committee
Deaf and Disabled Telecommunications Program

CHARTER OF THE
DEAF AND DISABLED TELECOMMUNICATIONS PROGRAM
CALIFORNIA RELAY SERVICE ADVISORY COMMITTEE

I. NAME

The name of the committee shall be the California Relay Service Advisory Committee (referred to hereafter as "CRSAC").

II. PURPOSE

The CRSAC's general purpose is advisory to the Deaf and Disabled Telecommunications Program Administrative Committee (DDTPAC) in connection with the provision of relay services mandated by Section 2881 of the Public Utilities Code, for providing telecommunications access for persons who are deaf, severely hearing impaired or disabled.

III. MEMBERSHIP

- A. Members. The CRSAC shall be comprised of five voting members and four non-voting members as follows:
1. Voting Members shall include:
 - (a) CRS Provider Member - Shall be from the provider of the California Relay Service.
 - (b) Consumer Members - The four shall consist of one from the hard-of-hearing community, one from the deaf community, one from the speech impaired community, and a member of the hearing community, well versed in the use of the CRS.

2. Non-voting Member(s) - Shall be one from the California Public Utilities Commission (CPUC), one from Pacific Bell, one from GTE California, and one from the California Telephone Association.

B. Selection of Members. Potential members of CRSAC shall be nominated to the DDTPAC by the organizations or constituencies they are to represent. The members of CRSAC shall be recommended by the DDTPAC for approval by the Commission's Executive Director, according to procedures preferred by the Commission.

C. Qualifications of Members. The qualifications of members shall be established by the DDTPAC in conjunction with the CPUC. In general, members shall have professional or technical expertise sufficient to enable them to be conversant with the responsibilities of CRSAC. Consumer members should be able to demonstrate organizational or other ties to the constituency they are representing, and in addition, they should not be employed by or represent the interests of any vendors or distributors who are providing or who may in the future provide equipment or services for the Deaf and Disabled Telecommunications Program.

D. Term of Appointments. The terms of the members of CRSAC shall be staggered, with one-third of the membership appointed each year. Initial appointments shall be for

terms of one, two or three years; thereafter members will be appointed for three year terms. A member may be re-appointed, but no member shall serve for more than two consecutive full terms.

Terms - Hearing Impaired - Three years

Speech Impaired - One year

Deaf - Three years

Hearing - Two years

CRS Provider - Two years

California Telephone Association - Two years

GTE California - Three years

Pacific Bell - One year

California Public Utilities Commission - One year

E. Removal From Membership.

1. Membership may be terminated through resignation.
2. Members who do not attend three consecutive meetings without just cause may be subject to removal from the committee.
3. Any member of CRSAC may be removed by the Commission's Executive Director for cause shown, in procedures preferred by the Commission.

F. Vacancies. Vacancies on CRSAC shall be filled from nominations submitted by the organization or constituency whose vacancy is being filled. The membership of persons filling a vacancy shall be selected and approved by the

Commission's Executive Director using procedures preferred by the Commission. Vacancies for expired terms will be filled by full term appointments; vacancies for unexpired terms will be filled for the remainder of the term.

- G. Expenses. Consistent with Commission Resolution F-621, consumer members of CRSAC shall be entitled to reimbursement of expenses they incur in connection with their services on CRSAC. Utility members are not eligible for expense reimbursement.

IV. DUTIES AND RESPONSIBILITIES

The CRSAC shall have the following duties and responsibilities:

- A. Serve as the Advisory Body to the DDTPAC, advising them on all matters pertaining to the CRS.
- B. Review all policies, programs, procedures, and actions that affect the CRS service, quality and cost, and make appropriate recommendations to the DDTPAC, including recommendations on procedures for the conduct of calls, options for controlling expenses and increasing program efficiency, and effective means of implementing the recommendations.
- C. Identify the needs of all current and potential CRS users and create a public awareness of these needs in such areas as facilitation of communication, sensitivity, extent of the need, and significant benefits to CRS users.
- D. Provide representation on any specially-created Task Force.

- E. Perform other functions and duties as may be directed by the DDTPAC or the CPUC.

V. MEETINGS

- A. Regular Meetings. The CRSAC shall hold such meetings as it shall decide are necessary or appropriate in order to carry out its functions. The succeeding meeting, place, time and location shall be scheduled at the preceding meeting. All meetings shall be open to the public, shall be noticed, shall be conducted pursuant to Robert's Rules of Order, 1990 Edition, and shall be otherwise held in accordance with the provisions of Government Code Sections 11120 ff.
- B. Special Meetings of the Committee. Special meetings of the CRSAC may be called by the Chair or by a quorum. All CRSAC members are to be notified at least 3 days prior to the special meeting.
- Such notices shall:
1. Set forth the date, time and location of such meeting.
 2. State the business to be conducted at such meeting.
- C. Public Participation. All meetings will be open to the public. Each meeting shall have a specific portion of the meeting agenda devoted to the presentation of questions, comments and suggestions from any non-member of CRSAC present in accordance with Government Code Sections 11120 ff. Members from the public and observers shall not be permitted to take part in any meeting unless recognized by the Chair.

- D. Quorum; Voting. Five authorized members or their designated representatives shall be necessary to constitute a quorum for performing CRSAC's functions, and three of the five members must be voting members of the CRSAC. No action shall be taken unless a quorum is present. A majority of the members present at a meeting, whether or not a quorum is present, may adjourn the meeting to another time or place. Any adjourned meeting shall be subject to the same notice requirements as a regular meeting.
- E. Proxies. A member may be represented at any meeting by a designated individual to represent the member at a specified, noticed meeting. Members must notify the Chair of their designated representative at least 24 hours prior to the meeting.
- F. Motions. Both voting and non-voting members may submit motions from the floor for CRSAC vote.
- G. Agenda. Each notice of meeting shall be accompanied by an agenda setting forth the matters that are expected to be presented at the meeting. CRSAC members are to receive written notice of the scheduled meeting and the agenda at least 10 days prior to the meeting date. Each agenda shall include allotted time for public input. Except in an emergency or with the approval of a majority of the members

present, CRSAC shall not consider at any meeting an item not on the agenda.

VI. OFFICERS

- A. Two Officers. The CRSAC shall have a Chairperson and a Vice-Chairperson, both of whom shall be elected by a majority of the members to serve for one year from date of election and may be re-appointed.
- B. Duties. The Chairperson shall be the executive officer of the CRSAC and, subject to the control of the CRSAC and this Charter, have the general supervision and direction of the affairs of the CRSAC. The Chairperson shall preside at all general and special meetings of CRSAC, set the agenda for place and time of meetings, appoint Task Forces as needed, and submit proposals and recommendations to the DDTPAC. In the event of a vacancy of the office of Chairperson, the vacancy shall be filled by a majority vote of the members of CRSAC. The Chairperson so appointed shall serve out the term of the vacancy that has been filled.

The Vice-Chairperson shall perform the duties of the Chairperson when the Chairperson is unavailable.

VII. AMENDMENTS

The CRSAC may recommend that the Charter be amended at a regular meeting by a vote of a majority of its voting members. Any

proposed amendment must have either been proposed at a previous meeting or have been received by CRSAC members at least 10 days in advance. Any revisions are to be approved by the DDTPAC and shall not become effective until approved by the CPUC.

VIII. INDEMNIFICATION

Members of the Committee, who are not members of the Commission staff, are uncompensated servants of the Commission and the State of California within the meaning of section 810.2 of the Government Code. The State will accordingly indemnify them as it indemnifies its compensated employees, and will provide them representation by the California Attorney General, for their acts done within the course and scope of the services they perform for the Committee, as provided in Government Code sections 825 et seq. and sections 995 et seq..

IN WITNESS WHEREOF, we the undersigned, being the initial members of the California Relay Service Advisory Committee of the Deaf and Disabled Telecommunications Administrative Committee, do hereby constitute, establish and adopt this as the charter for said committee effective as of the day, month and year first written.