

NOTICE OF
PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Office of Administrative Rules.

Agency Information

1. Agency: Public Service Commission - Administration
 Room no.:
 Building: HEBER M WELLS BLDG
 Street address 1: 160 E 300 S
 Street address 2:
 City, state, zip: SALT LAKE CITY UT 84111-2316
 Mailing address 1: PO BOX 45585
 Mailing address 2:
 City, state, zip: SALT LAKE CITY UT 84111-5585

Contact person(s):

Name:	Phone:	Fax:	E-mail:
Sheri Bintz	801-530-6714	801-530-6796	sbintz@utah.gov
Michael Hammer	801-530-6729		michaelhammer@utah.gov

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 42850 Date filed: 04/24/2018 01:39 PM
 State Admin Rule Filing Key: 160215
 Utah Admin. Code ref. (R no.): R 746 - 8 -
 Changed to Admin. Code ref. (R no.): - -

Title

2. Title of rule or section (catchline):
 Utah Universal Public Telecommunications Service Support Fund (UUSF)

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:

This rule amendment streamlines the collection of the Utah Universal Service Fund (UUSF) surcharge for access lines that receive a federal Lifeline subsidy.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.

No

Rule Summary

6. Summary of the rule or change:

This amendment streamlines the compliance process for some telecommunications providers by enacting provisions that exempt a provider who provides an access line that receives a federal Lifeline subsidy from collecting and remitting a state UUSF surcharge for that line, and allowing that if the access line also receives a state Lifeline subsidy, the surcharge will be deducted from the state Lifeline subsidy.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

This amendment will require some additional work on the part of the Public Service Commission and the Division of Public Utilities to calculate the appropriate state Lifeline subsidy for affected providers, but these calculations should be able to be accomplished within existing budgets and workloads.

B) Local government:

Affected: No

Local governments do not provide any telecommunications service that is impacted by this amendment, and do not play any role in administering the amendment. Therefore, the amendment will have no impact on local governments.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

This amendment may streamline compliance obligations for any small business that provides telephone service that is eligible for both federal and state Lifeline subsidies. Any anticipated savings due to that streamlined obligation is not measurable.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

This amendment may streamline compliance obligations for person who provides telephone service that is eligible for both federal and state Lifeline subsidies. Any anticipated savings due to that streamlined obligation is not measurable.

Compliance Cost Information

8. Compliance costs for affected persons:

This amendment may streamline compliance obligations for person who provides telephone service that is eligible for both federal and state Lifeline subsidies. Any anticipated savings due to that streamlined obligation is not measurable.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

This amendment streamlines compliance obligations for any provider of telecommunications service who is eligible for both state and federal Lifeline subsidies. The amendment should provide marginal but unmeasurable compliance cost savings to those providers. For those reasons, there will be no compliance cost to affected persons.

B) Name and title of department head commenting on the fiscal impacts:

Thad LeVar, Commission Chair

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

Section 54-3-1

Section 54-4-1

Section 54-8b-10

Section 54-8b-15

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by reference (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

	Official Title of Materials Incorporated (from title page):
	Publisher:
	Date Issued:
	Issue, or version:
	ISBN Number:
	ISSN Number:
	Cost of Incorporated Reference:
	Adds, updates, removes:

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) :

06/14/2018

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

06/21/2018

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):

- utah universal service fund
- surcharges and disbursements
- assistive devices and technology
- speech/hearing challenges

File Information

15. Attach an RTF document containing the text of this rule change (filename):

There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title:

Michael Hammer
Administrative Law Judge

Date (mm/dd/yyyy): 04/24/2018