

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1186
Committee Substitute Favorable 5/9/89

Short Title: Dual Party Relay System.

(Public)

Sponsors:

Referred to:

April 12, 1989

A BILL TO BE ENTITLED

1 AN ACT TO DIRECT THE NORTH CAROLINA UTILITIES COMMISSION TO
2 ESTABLISH A NORTH CAROLINA DUAL PARTY RELAY SERVICE TO
3 ENSURE THAT THE HEARING IMPAIRED, SPEECH IMPAIRED, OR
4 PERSONS SIMILARLY IMPAIRED HAVE ACCESS TO BASIC TELEPHONE
5 SERVICE.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. Chapter 62 of the General Statutes is amended by adding a new
9 section to read:

10 "**§ 62-133.3. Dual party relay service.**

11 (a) The General Assembly finds and declares that it is in the public interest to
12 provide access to all public telecommunication services to all citizens of this State,
13 particularly to hearing impaired persons, speech impaired persons, or persons who are
14 similarly impaired.

15 (b) The North Carolina Utilities Commission shall establish, implement,
16 administer, and promote a statewide dual party telephone relay service, and contract for
17 the administration and operation of such relay service, for the utilization of
18 telecommunication services by hearing impaired persons, speech impaired persons, or
19 persons who are similarly impaired. The Commission may use assistance from public
20 agencies of the State or federal government or from private organizations to accomplish
21 the purposes of this section.

22 (c) The Commission shall require local exchange telephone companies in this
23 State, including those operated by telephone membership corporations, to impose a

1 monthly maintenance surcharge on all residential and business local exchange access
2 facilities. For the purpose of this section, exchange access facility means the access
3 from a particular telephone subscriber's premise to the telephone system of a local
4 exchange telephone company. Exchange access facilities include local exchange
5 company provided access lines, private branch exchange trunks, and centrex network
6 access registers, all as defined by tariffs of telephone companies as approved by the
7 Commission. The amount of the surcharge shall be determined by the Commission
8 based upon the amount of funding necessary to accomplish the purposes of this section
9 and provide the services on an ongoing basis. The local exchange companies shall
10 collect the surcharge from their customers and transfer the monies collected to a special
11 fund, to be held by the Treasurer as a nonreverting special fund pursuant to G.S. 147-
12 69.2 and G.S. 147-69.3 and shall be credited with interest and income. The fund shall
13 be used solely for the administration and operation of the relay service. These funds
14 may not be used to lease or purchase telecommunications devices for the deaf used by
15 telephone subscribers, except those used by the operator of the relay service. The users
16 of the relay service shall be charged for telephone services (including the surcharge
17 authorized in this subsection) without additional charges for the use of the relay
18 service."

19 Sec. 2. This act is effective upon ratification.