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Docket No. 32235

In Re: **Generic Proceeding to Implement House Bill 168**

ORDER ELIMINATING REVENUE THRESHOLD FOR CONTRIBUTIONS TO THE UNIVERSAL ACCESS FUND

I. Background

For many years, a policy has been in place which did not require contributions to the Universal Access Fund ("UAF") for carriers reporting less than \$12,500 in quarterly revenue.

II. Staff Recommendation

The policy to not require contributions to the UAF for carriers reporting less than \$12,500 in quarterly revenue is not based in State law nor was it memorialized in any Commission order. Presumably, at the time the revenue threshold was put in place, the contributions that would have been generated at lower revenues were considered *de minimis*. However, at the 3.75% contribution rate in effect for the first quarter of 2023, \$10,000 of quarterly revenue produces a contribution of \$375, or \$1500 in contributions on an annual basis. Assuming the Commission approves the Staff's concomitant recommendation to increase the contribution factor to 5.25% in the second quarter of 2023, \$10,000 in quarterly revenue would produce a contribution of \$525, or \$2100 in contributions on an annual basis. Staff argued that these amounts are not *de minimis*, particularly when considering the large number of carriers that have an obligation to contribute to the fund. Moreover, the Telecommunications Relay Fund, which also requires quarterly contributions from largely the same group of carriers, does not have a revenue threshold. For these reasons, Staff recommended elimination of the contribution threshold beginning in the second quarter of 2023 (April 1 – June 30, 2023).

III. Commission Decision

The Commission adopts the Staff's recommendation for the reasons stated therein.

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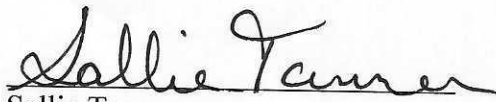
WHEREFORE, it is


ORDERED, that the \$12,500 revenue threshold for contributions to the UAF is hereby eliminated beginning in the second quarter of 2023 (April 1 – June 30, 2023).

ORDERED FURTHER, that a motion for reconsideration, rehearing, oral argument, or any other motion shall not stay the effective date of this Order, unless otherwise ordered by the Commission.

ORDERED FURTHER, that jurisdiction over this matter is expressly retained for the purpose of entering such further Order(s) as this Commission may deem just and proper.

The above by action of the Commission in Administrative Session on the 21st day of February 2023.


Sallie Tanner
Executive Secretary


Tricia Pridemore
Chairman

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