FILED
JUN 26 2023
EXECUTIVE SECRETARY
G.P.S.C.

COMMISSIONERS:

TRICIA PRIDEMORE, Chairman
TIM G. ECHOLS, Vice-Chairman
FITZ JOHNSON
LAUREN "BUBBA" McDONALD
JASON SHAW

REECE McALISTER
EXECUTIVE DIRECTOR

SALLIE TANNER
EXECUTIVE SECRETARY

# Georgia Public Service Commission

(404) 656-4501
(800) 282-5813

244 WASHINGTON STREET, SW
ATLANTA, GEORGIA 30334-5701

FAX: (404) 656-2341
psc.ga.gov

DOCKET# 44669
DOCUMENT# 204906

**Docket No. 44669**

In Re: **Telecommunications Relay Service Generic Docket**

## ORDER DIRECTING COMMISSION STAFF TO PREPARE REQUEST FOR PROPOSALS

### I. Background

On March 17, 2023, Hamilton Relay, Inc. ("Hamilton") filed a letter ("Hamilton Letter") expressing its desire to extend the current Georgia Telecommunications Relay Service Agreement ("Agreement") for a two-year period pursuant to Section 20 of the Agreement. *Hamilton Letter, p. 1.* The current contract expires March 31, 2024, and if renewed would expire on March 31, 2026.

In its letter, Hamilton also requested an amendment to the Agreement that would allow it to provide telecommunication relay services and CapTel services at the current rates with outreach and marketing separated from the per minute rates. Hamilton Relay requests that instead of the current per minute structure, the outreach program's monthly recurring charge will be $8,333.33 and marketing will be based on a dollar-for-dollar reimbursement limited to $150,000 per year. Therefore, the cost for outreach and marketing will not exceed the current annual limit of $250,000. *Id. at 1.*

On April 26, 2023, Hamilton filed another letter ("Follow-up Letter") in which it stated that "A significant decrease in volume and increase in overhead costs results in a necessary rate increase." *Follow-up Letter, p. 1.* Hamilton provided evidence that minutes of use have declined by 51% for CTS and 6% for TRS between April 2021 and February 2023. *Id.* Hamilton argues that due to declining minutes of use and other factors (e.g., inflation), it is necessary to remove outreach and marketing from the per minute rate because the $250,000 expense would increase from $1.56 per minute at the beginning of the contract to a projected $2.94 per minute in 2026. *Id. at 2.*

## II. Staff Recommendation

Section 3.16 of the Request for Proposals issued by the Commission and agreed to by Hamilton states:

> The Commission's chosen offeror shall provide, at a minimum, an outreach and advertising budget of $250,000.00 for each successive three 12-month periods of the contract ($750,000 total) to be spent on professional advertising and outreach activities utilizing an advertising firm to be selected by the PSC in a separate request for proposal process. The Commission's chosen offeror shall pay the advertising agency's monthly invoices after these invoices have been reviewed and approved by the PSC. The work of this advertising firm shall report to the PSC but shall coordinate their media strategy, through the PSC, with the service provider to ensure a seamless, coordinated advertising/outreach effort. **This expense is not a separate recoverable cost and must be included in the total price bid.** (emphasis added)

Because the November 17, 2020 RFP agreed to by Hamilton required that outreach and marketing be part of the per minute rate and because the contract between the Commission and Hamilton merely allows for an extension, Staff does not believe it is appropriate to change the rate structure of the November 17, 2020 RFP in the context of a contract extension. Therefore, Staff recommended that the Commission direct Staff to prepare a new request for proposals for a TRS provider for consideration by the Commission at an upcoming Telecommunications Committee Meeting.

## III. Commission Decision

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

* * * * *

**WHEREFORE, it is**

**ORDERED**, that Commission Staff is directed to prepare a request for proposals for a TRS provider at an upcoming Telecommunications Committee Meeting.

**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 20th day of June 2023.

Sallie Tanner
Executive Secretary

6-26-23
DATE

Tricia Pridemore
Chairman

6/26/23
DATE