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DOCKET# 32235
DOCUMENT# 216909

Docket No. 32235

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

ORDER ADOPTING FINDINGS OF AGREED-UPON PROCEDURES APPLIED TO PAYMENTS BY CONTRIBUTORS TO THE UNIVERSAL ACCESS FUND

I. Background

On June 8, 2023, the Georgia Public Service Commission issued its Request for Proposals to Conduct Agreed-Upon Procedures Engagements on One or More Contributors to the Universal Access Fund ("RFP"). Only one bidder, Hurlbert CPA, LLC ("Hurlbert CPA"), responded to the RFP with a bid of $2500 per engagement. The Commission approved the bid and $25,000 in funding for the agreed-upon procedures engagements in Administrative Session on June 20, 2023.

The funding approved by the Commission was sufficient for 10 contributors to undergo the agreed-upon procedures.

For eight of the 10 engagements, Staff recommended that the Commission select the top eight contributors by dollars contributed, excluding affiliated companies. In the event a company has more than one contributing company in the top eight, the affiliate with the larger contribution would be selected. Staff further recommended that the agreed-upon procedures performed on these eight contributors should evaluate contributions remitted for calendar year 2022.

Under the Staff's recommendation, the following contributors, in alphabetical order, would undergo agreed-upon procedures:

1. Asset Black, LLC
2. BellSouth Telecommunications, LLC d/b/a AT&T Georgia
3. Comcast Phone of Georgia, LLC d/b/a Comcast Digital Phone
4. Granite Telecommunications, L.L.C.
5. Level 3 Communications, LLC
6. Pay Tel Communications, Inc.
7. Securus Technologies, LLC
8. Windstream Georgia Communications L.L.C.

For the other two engagements, Staff recommended that the Commission select EnTelegent Solutions, Inc. and MCI Communications Services, LLC d/b/a Verizon Business Services. Staff recommended selection of these contributors because both companies have requested a credit from the UAF for contributions remitted for calendar year 2021. Accordingly, Staff recommended that the agreed-upon procedures performed on these contributors should evaluate contributions remitted for calendar year 2021.

On July 10, 2023, the Commission issued an order adopting Staff's proposed list of contributors to undergo agreed-upon procedures.

Hurlbert CPA concluded the agreed-upon procedures of all contributors on November 16, 2023 and provided reports to Staff documenting its findings. The reports indicate that two companies over-contributed while two others under-contributed. The other six contributed the correct amounts for the time periods selected. The cumulative amount due to the UAF is $1,735,224.83.

Contributor Name	**Overpayment (Underpayment)**
Asset Black, LLC	$ (574.15)
BellSouth Telecommunications, LLC d/b/a AT&T Georgia	$ (2,207,616.44)
Comcast Phone of Georgia, LLC d/b/a Comcast Digital Phone	$ -
EnTelegent Solutions, Inc.	$ 2,199.93
Granite Telecommunications, L.L.C.	$ -
MCI Communications Services, LLC d/b/a Verizon Business Services	$ 470,765.83
Level 3 Communications, LLC	$ -
Pay Tel Communications, Inc.	$ -
Securus Technologies, LLC	$ -
Windstream Georgia Communications L.L.C.	$ -
	$ (1,735,224.83)

II. Staff Recommendation

Staff recommends adoption of Hurlbert CPA's findings. Staff further recommends that a company found to have over-contributed be allowed to offset its next contribution (or contributions, if the amount exceeds the next quarter's contribution) until the overpayment is exhausted. Staff recommends that companies found to have under-contributed be required to remit the full back payment due no later than 30 days from the date of the Commission order adopting Hurlbert CPA's findings.

III. Commission Decision

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

* * * * *

WHEREFORE, it is

ORDERED, that the findings by Hurlbert CPA in the agreed-upon procedures applied to payments by contributors to the UAF as set forth above are hereby adopted.

ORDERED FURTHER, that a company found to have over-contributed shall be allowed to offset its next contribution (or contributions, if the amount exceeds the next quarter's contribution) until the overpayment is exhausted.

ORDERED FURTHER, that companies found to have under-contributed be required to remit the full back payment due no later than 30 days from the date of this Order.

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 19th day of December 2023.

Sallie Tanner
Executive Secretary

12-28-23
DATE

Jason Shaw
Chairman

12-28-23
DATE