

# STATE OF NEW HAMPSHIRE

## Inter-Department Communication

**DATE:** October 26, 2020

**AT (OFFICE):** NHPUC

**FROM:**  Kath Mullholand, Director, Regulatory Innovation and Strategy Division  
Amanda O. Noonan, Director, Consumer Services and External Affairs

**SUBJECT:** IR 20-110 Investigation into Administration and Oversight of the  
Telecommunications Relay Service Fund  
**REVISED Staff Recommendation**

**TO:** Commissioners  
Debra A. Howland, Executive Director

On August 21, 2020, Commission Staff filed a memorandum recommending that the Commission use a competitive solicitation process to select and retain a cost-effective third party administrator of New Hampshire's intrastate telecommunications relay service fund (TRS Fund). The TRS Fund administrator would be engaged to collect payments from participating carriers, ensure the cost recovery mechanism is adhered to, manage the fund on an ongoing basis, and pay service provider remittances. Staff's recommendation was developed based on the historical background and participants' position statements summarized in that memorandum.

Subsequent to filing its August 21<sup>st</sup> recommendation, Staff has continued to investigate options for selecting and incorporating a third party administrator into ongoing management of the TRS Fund. Staff notes that, to the extent the Commission would oversee third party administrator solicitation and selection and the state procurement process therefore must be used, that process would not allow for external party participation in evaluation, scoring, and selection, nor would it permit the transparency level anticipated by participants in this docket. Moreover, Staff would not only continue in many of its current oversight and administrative roles, it would also be tasked with additional duties, such as developing and implementing the third party administrator solicitation and contracting process, engaging and supervising the third party administrator, and managing a number of ongoing reporting obligations. Those consequences do not represent desired outcomes of this investigation proceeding.

Accordingly, Staff withdraws its recommendation of August 21, in favor of maintaining Staff's longstanding roles in oversight and administration of the TRS Fund. Staff therefore recommends that this docket be closed with no further action required of the Commission.