

ADMINISTRATIVE PROCEDURES ACT
FISCAL NOTE
Prepared by Submitting Agency

	CODE	NAME
DEPARTMENT	10	Department of Labor
DIVISION	109	Public Utilities Commission
PROGRAM		

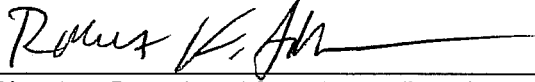
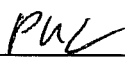
PROPOSED RULES: 20:10:32:42, 20:10:32:43, 20:10:32:43.01, 20:10:32:43.02, 20:10:32:43.03, 20:10:32:43.04, 20:10:32:43.05, 20:10:32:43.06, 20:10:32:43.07, 20:10:32:44, 20:10:32:45, 20:10:32:46, 20:10:32:47, 20:10:32:48, 20:10:32:49, 20:10:32:51, 20:10:32:52, 20:10:32:53, 20:10:32:54 and 20:10:32:55
Hearing Date: May 24, 2006

FISCAL NOTE SUMMARY:

List state agencies of local governmental subdivisions affected.

COST INCREASES (DECREASES)

State Agencies:	First-Year Impact	Continuous-Yearly Impact
TOTAL	0	0
Local Subdivisions:		
TOTAL	0	0
Revenue Increases (Decreases) State & Local:		
TOTAL	0	0

APPROVED  
 Signature Department Secretary or Board or Commission Chairman

DATE 4/25/06

ATTACH: Copy of proposed rules; separate sections for: 1) explanation of rules effect, i.e. what procedures, schedules, activities, etc. will change with its adoption 2) statistics used, and their source, 3) assumptions that were made to arrive at fiscal impact, 4) computations that were made.

EXPLANATION OF RULES EFFECT

The Public Utilities Commission will hold a public hearing in Room 412, fourth floor, State Capitol, Pierre, South Dakota, on May 24, 2006, at 2:00 p.m., to consider the adoption and amendment of proposed rules numbered §§ 20:10:32:42, 20:10:32:43, 20:10:32:43.01, 20:10:32:43.02, 20:10:32:43.03, 20:10:32:43.04, 20:10:32:43.05, 20:10:32:43.06, 20:10:32:43.07, 20:10:32:44, 20:10:32:45, 20:10:32:46, 20:10:32:47, 20:10:32:48, 20:10:32:49, 20:10:32:51, 20:10:32:52, 20:10:32:53, 20:10:32:54 and 20:10:32:55.

The effect of the proposed rule changes will be to set forth the requirements for telecommunications carriers to be designated as eligible telecommunications carriers (ETCs). Carriers designated as ETCs are eligible to receive federal high cost support in order to provide basic telephone services in their service areas. In addition, the proposed rule changes set forth the requirements for carriers previously designated as ETCs to obtain the certification necessary to continue to receive federal high-cost support.

One of the reasons for the proposed rule changes is to set forth specific requirements for carriers requesting designation as ETCs. An applicant will be required to do the following: demonstrate its commitment to provide service to customers; submit a two year plan describing proposed improvements to its network; demonstrate its ability to remain functional in emergency situations; demonstrate its ability to satisfy consumer protection and service quality standards; offer a comparable local usage plan; and meet a public interest standard. Another reason is to set forth requirements for the certification of ETCs, including the submission of a progress report on service quality improvement plans, information on outages, the number of unfulfilled requests for service from customers, and the number of consumer complaints. In addition, one of the proposed rules, 20:10:32:55, sets forth requirements for advertising lifeline and link-up assistance programs and requires the submission of a report on a carrier's outreach efforts to increase participation in these programs. Lifeline and link-up assistance programs provide discounts to low-income consumers for basic telephone service.

There are no fiscal impacts on state agencies or local governmental subdivisions.