

Under the statute true wire line telephone companies appear to be eligible for reimbursement of interstate TRS services. In the June 30, 2004 FNPRM the FCC stated that "Because Title IV puts the obligation on the entities providing telephone transmission services to also offer TRS... we believe that requiring eligible providers to fall into one of these {telephone transmission service or state relay program) categories is consistent with the statutory scheme."

However, the FCC has turned away a true wire line interstate telephone transmission carrier from being eligible. That seems contradictory to the Code itself and the fact that a carrier who has to pay into the fund through its contribution factor is inherently sensitive to reduction in costs to reduce the overall contribution factor. Since a carrier can't earn a profit on TRS there is no other incentive except to reduce costs over the long run.

The FCC should allow as the US Code spells out that a true wire line telephone transmission service i.e. a phone company, to recover their costs from the Interstate TRS fund.