
Relay Administration Board

Financial Statements

December 31, 2012

Relay Administration Board

Table of Contents

Independent Auditors' Report	1
Management's Discussion and Analysis	3
Financial Statements:	
Statement of Net Position	7
Statement of Revenues, Expenses, and Changes in Net Position	8
Statement of Cash Flows	9
Notes to Financial Statements	10
Supplementary Information:	
Annual Fiscal Report	16
Other Required Reports:	
Independent Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	36
Schedule of Findings and Management's Responses	38
Schedule of Prior Year Findings and Responses	44

Independent Auditors' Report

To the Board of Directors
Relay Administration Board

We have audited the accompanying financial statements of the business-type activities of Relay Administration Board, a component unit of the State of Louisiana, as of and for the year ended December 31, 2012, and the related notes to the financial statements, which collectively comprise the Relay Administration Board's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities of the Relay Administration Board as of December 31, 2012, and the respective changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 3–6 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Relay Administration Board's basic financial statements. The Annual Financial Report on pages 16–34, as required by the Louisiana Division of Administration, is presented for purposes of additional analysis and is not a required part of the basic financial statements.

The Annual Financial Report the responsibility of management and was derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Annual Financial Report fairly stated, in all material respects, in relation to the basic financial statements as a whole.



Covington, Louisiana
June 24, 2013

Management's Discussion and Analysis

Relay Administration Board

Management's Discussion and Analysis

Introduction

The Management's Discussion and Analysis of the Relay Administration Board's financial performance presents a narrative overview and analysis of the Relay Administration Board's (RAB) financial activities for the year ended December 31, 2012. This document focuses on the current year's activities, resulting changes, and currently known facts in comparison with the prior year's information. Please read this document in conjunction with the additional information contained in the financial statements, which begin on page 7.

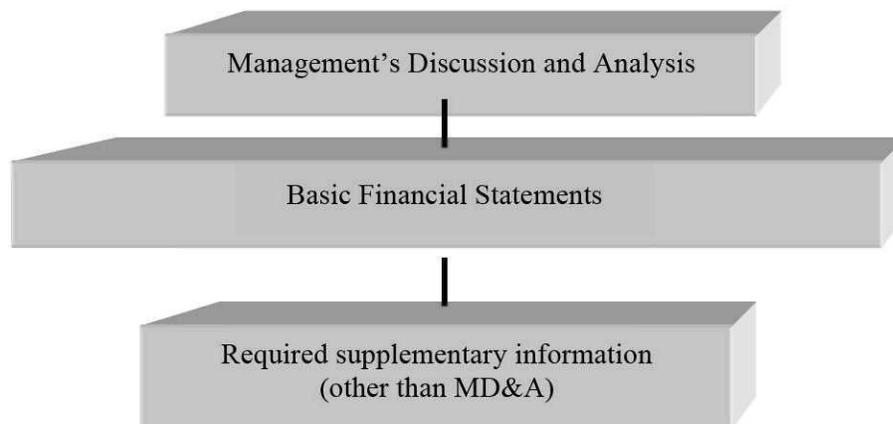
Financial Highlights

RAB's assets exceeded its liabilities (net position) at the close of fiscal year 2012 by \$24,174,665 which represents a 3.58% increase in net position from last fiscal year. Total assets, consisting almost entirely of investments, increased from \$23,446,357 to \$24,397,374 or 4.06%. At December 31, 2012, the investment portfolio was comprised of U.S. Government and Agency bonds (29%), corporate bonds (25%), common stock (39%), money market funds (1%), and mutual funds (6%). At December 31, 2011, the investment portfolio was comprised of U.S. Government and Agency bonds (27%), corporate bonds (32%), common stock (36%), money market funds (1%) and mutual funds (4%).

RAB's net position increased by \$835,772 in 2012 compared to the 2011 decrease in net position of \$415,715. RAB's net investment income increased in 2012 due to the performance of the overall financial markets as compared to the prior year. RAB's relay service expense also decreased compared to the prior year. RAB received no operating revenues during 2012 and 2011 due to the elimination of access charges previously charged to consumers and grants funding.

Overview of the Financial Statements

The following graphic illustrates the minimum requirements for Special Purpose Governments Engaged in Business-Type Activities established by Governmental Accounting Standards Board.



These financial statements consist of two sections - Management's Discussion and Analysis (this section), and the basic financial statements (including the notes to the financial statements).

Relay Administration Board

Management's Discussion and Analysis

Basic Financial Statements

The basic financial statements present information for the Relay Administration Board as a whole, in a format designed to make the statements easier for the reader to understand. The statements in this section include the Statement of Net Position; the Statement of Revenues, Expenses, and Changes in Net Position; and the Statement of Cash Flows.

Statement of Net Position

The Statement of Net Position on page 7 presents a summary of assets and liabilities with totals of each. The difference between total assets and total liabilities is net position and may provide a useful indicator of whether the financial position of RAB is improving or deteriorating.

Statement of Revenue, Expenses, and Changes in Net Position

The Statement of Revenues, Expenses, and Changes in Net Position on page 8 presents information which shows how RAB's net position changed as a result of current year operations. Regardless of when cash is affected, all changes in net position are reported when the underlying transactions occur. As a result, there are transactions included that will not affect cash until future fiscal periods.

Statement of Cash Flows

The Statement of Cash Flows on page 9 presents information showing how RAB's cash changed as a result of current year operations. The statement of cash flows is prepared using the direct method and includes the reconciliation of operating income to net cash provided by or used in operating activities (indirect method) as required by GASB 34.

Financial Analysis of the Entity

The statements of net position consist of the following at December 31:

	2012	2011	Variance	% Variance
Assets				
Cash and cash equivalents	\$ 256,684	\$ 261,614	\$ (4,930)	-1.88%
Investments	24,052,103	23,074,026	978,077	4.24%
Accrued investment income	88,587	110,717	(22,130)	-19.99%
	<u>24,397,374</u>	<u>23,446,357</u>	<u>951,017</u>	4.06%
Liabilities				
Accounts payable and accruals	<u>222,709</u>	<u>107,464</u>	<u>115,245</u>	107.24%
Net Position				
Unrestricted	<u>\$ 24,174,665</u>	<u>\$ 23,338,893</u>	<u>\$ 835,772</u>	3.58%

All of the assets of RAB can be used for any lawful purpose consistent with the articles of incorporation which requires that funds be used for providing telecommunication relay services to the citizens of the State of Louisiana. RAB has no long-term debt obligations. Investment securities are available for liquidity as needed, but are intended to also provide a return on assets that can be used to provide relay services to the hearing and speech impaired.

Relay Administration Board Management's Discussion and Analysis

The statements of revenues, expenses, and changes in net position for the years ended December 31:

	2012	2011	Variance	% Variance
Operating Revenues	\$ -	\$ -	\$ -	-
Operating Expenses				
Relay service costs	1,021,384	1,053,234	31,850	-3.02%
Legal and professional	185,853	51,610	(134,243)	260.11%
Other operating costs	10,189	9,040	(1,149)	12.71%
	<u>1,217,426</u>	<u>1,113,884</u>	<u>(103,542)</u>	9.30%
Operating loss	(1,217,426)	(1,113,884)	103,542	9.30%
Non-Operating Revenue(Expenses)				
Investment return	2,084,790	724,441	1,360,349	187.78%
Income taxes	(31,592)	(26,272)	(5,320)	20.25%
	<u>2,053,198</u>	<u>698,169</u>	<u>1,355,029</u>	194.08%
Change in net position	835,772	(415,715)	1,251,487	301.04%
Net position, beginning of year	<u>23,338,893</u>	<u>23,754,608</u>	<u>(415,715)</u>	-1.75%
Net position, end of year	<u>\$ 24,174,665</u>	<u>\$ 23,338,893</u>	<u>\$ 835,772</u>	3.58%

RAB recognized no operating revenues during 2012 and 2011. The Louisiana Public Service Commission indefinitely suspended the 11¢ per line access fee charged to consumers effective in April 2002. Non-operating revenues increased in 2012 by \$1,360,349 or 188% due to increases in interest and dividend income, realized gains on investments and unrealized gains on investments during 2012.

The majority of RAB's operating expenses represent the provisioning of telephone relay service by a contracted relay service provider. Total 2012 operating expenses increased from 2011 due primarily to increased legal fees. Non-operating expenses consist of excise taxes. RAB's investment income is subject to an excise tax at a rate of 2% of net investment income.

Economic Factors and Next Year's Operations and Rates

As portrayed on page 7 of the financial statements, the Relay Administration Board has accumulated net position since its inception in 1992 which have been accumulated for the purpose of provisioning of telephone access services for an extended period. The Louisiana Public Service Commission eliminated effective April 2002, the telephone access fee that has been charged to all connections throughout Louisiana and used to fund RAB's operations and net position. Thus, for 2012, RAB has no telephone access fee revenue. RAB also has received no state grants or funding since 2002 and does not expect to again receive state funding in the near future.

Relay Administration Board Management's Discussion and Analysis

RAB continues to monitor its investment portfolio and associated credit and investment risk associated with the types of securities. Since year end, overall financial markets have continued to be volatile and subject to government influences. If overall economic conditions and financial markets remain disrupted for an extended period of time, RAB's ability to meet these objectives may become doubtful.

Contacting the Relay Administration Board's Management

This financial report is designed to provide citizens, taxpayers, customers, and creditors with a general overview of the Relay Administration Board's finances and to show RAB's accountability for the money it receives. If you have questions about this report or need additional financial information, contact:

Louisiana Public Service Commission
P.O. Box 91154
Baton Rouge, Louisiana 70821-9154

Financial Statements

Relay Administration Board
Statement of Net Position
December 31, 2012

Assets

Cash and cash equivalents	\$ 256,684
Investments and marketable securities	24,052,103
Accrued investment income	<u>88,587</u>
	24,397,374

Liabilities

Accounts payable and accrued expenses	<u>222,709</u>
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Net Position

Unrestricted	<u><u>\$ 24,174,665</u></u>
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Relay Administration Board
Statement of Revenues, Expenses, and Changes in Net Position
For the Year Ended December 31, 2012

Operating Revenues	\$ -
Operating Expenses	
Relay service costs	1,021,384
Legal and professional	185,853
Other operating costs	10,189
	<u>1,217,426</u>
Operating loss	<u>(1,217,426)</u>
Non-Operating Revenues (Expenses)	
Investment return	2,084,790
Income taxes	(31,592)
	<u>2,053,198</u>
Change in net position	835,772
Net position, beginning of year	<u>23,338,893</u>
Net position, end of year	<u>\$ 24,174,665</u>

See accompanying notes to financial statements.

Relay Administration Board
Statement of Cash Flows
For the Year Ended December 31, 2012

Cash Flows From Operating Activities

Cash payments to suppliers of goods and services:	
Relay service costs	\$ (930,874)
Legal and professional fees	(173,227)
Other operating costs	(10,029)
Net cash used in operating activities	<u>(1,114,130)</u>

Cash Flows From Investing Activities

Purchases of investments	(16,894,587)
Sales and maturities of investments	17,424,073
Investment income received	604,320
Income taxes paid	(24,606)
Net cash provided by investing activities	<u>1,109,200</u>

Decrease in cash and cash equivalents	(4,930)
Cash and cash equivalents, beginning balance	<u>261,614</u>
Cash and cash equivalents, ending balance	<u>\$ 256,684</u>

**Reconciliation of Operating Loss to
Cash Flows Used in Operating Activities**

Operating loss	\$ (1,217,426)
Adjustments to reconcile operating loss to net cash used in operating activities:	
Change in:	
Accounts payable and accrued expenses	<u>103,296</u>
Net cash used in operating activities	<u>\$ (1,114,130)</u>

Schedule of Noncash Investing Activities:

Net increase in fair market value of investments	\$ 503,813
Net amortization/accretion of investments in fixed securities	(95,926)
	<u>\$ 407,887</u>

See accompanying notes to financial statements.

Relay Administration Board

Notes to Financial Statements

1. History and Summary of Significant Accounting Policies

Nature of Operations

The Relay Administration Board (“RAB”) was created as a non-profit corporation by the Louisiana Public Service Commission, a body created by the Louisiana Constitution, as provided by Order Number U-17656-A pursuant to the telecommunications sections of the Americans with Disabilities Act of 1990 and other applicable regulations adopted by the Federal Communications Commission. The board of directors is comprised of five members who serve indefinite terms at the discretion of the Louisiana Public Service Commission. The board of directors is charged with the responsibility of oversight of telephone relay services for the State of Louisiana, ensuring equal access to telecommunications services for all hearing and speech impaired citizens, and acting as a liaison between the relay service provider and the Louisiana Public Service Commission.

Basis of Presentation

The accompanying financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and reporting principles.

Private Sector Standards of Accounting issued on or prior to November 30, 1989 generally are followed in the financial statements to the extent those statements do not conflict or contradict the standards of the GASB. RAB has applied GASB No. 62, Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements, which eliminates the option for business-type activities to follow new FASB pronouncements, although they may continue to be applied as “other accounting literature.”

Reporting Entity

Using the criteria in GASB Codification Section 2100, the Division of Administration, Office of Statewide Reporting and Accounting Policy has defined the governmental reporting entity to be the State of Louisiana. The Office of Statewide Reporting and Accounting Policy considers RAB to be a discrete component unit of the State of Louisiana because the state has financial accountability for fiscal matters as follows: (1) a majority of the board of directors is appointed by the State of Louisiana; (2) upon dissolution of RAB, title to all property owned by RAB shall vest in the State of Louisiana; (3) the Louisiana Public Service Commission, a commission within a department of the State of Louisiana, has the ability to modify and approve changes to the telephone access fee; and (4) the Louisiana Public Service Commission has the ability to veto, overrule, and modify decisions made by RAB.

The accompanying financial statements present information only as to the transactions of the programs of the Relay Administration Board. Annually, the State of Louisiana issues basic financial statements, which include the activity contained in the accompanying financial statements as a business-type activity. The State of Louisiana’s basic financial statements are audited by the Louisiana Legislative Auditor.

Relay Administration Board

Notes to Financial Statements

Fund Accounting

For financial reporting purposes, RAB is treated as a special-purpose government engaged only in business-type activities. All activities of RAB are accounted for within a single proprietary (enterprise) fund to report on its financial position, results of operation, and cash flows. Proprietary funds are used to account for operations that are (a) financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the cost of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

Net Position

RAB has implemented GASB No. 63, Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position, effective fiscal year 2012. This standard provides guidance for reporting the financial statement elements of deferred outflows of resources and deferred inflows of resources. Deferred outflows represent the consumption of the government's net position that is applicable to a future reporting period. A deferred inflow represents the acquisition of net position that is applicable to a future reporting period.

Because deferred outflows and deferred inflows are, by definition, neither assets nor liabilities, the statement of net assets title is now referred to as the statement of net position. The statement of net position reports net position as the difference between all other elements in a statement of net position and should be displayed in three components—net investment in capital assets, restricted net position (distinguishing between major categories of restrictions), and unrestricted net position.

As of December 31, 2012, all of RAB's net position was unrestricted. Unrestricted net position is the balance (deficit) of all other elements in a statement of net position remaining after net investment in capital assets and restricted net position.

Basis of Accounting

Basis of accounting refers to the timing of recognition of revenues and expenses in the accounts and reporting in the financial statements, regardless of the measurement focus applied. The transactions of RAB are accounted for using the accrual basis of accounting and on a flow of economic resources measurement focus where the aim is to report all inflows, outflows, and balances affecting or reflecting an entity's net position. Accordingly, revenues are recognized in the accounting period when they are earned and expenses are recognized when the related liability is incurred.

Revenues from telephone access fees are reported as operating revenues. Transactions for which cash flows are reported as investing activities are reported as non-operating revenue. All expenses related to operating RAB are reported as operating expenses.

Use of Estimates

The preparation of financial statements in conformity with U.S. generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Relay Administration Board

Notes to Financial Statements

Cash and Cash Equivalents

For purposes of reporting cash flows, cash includes money market accounts and all highly liquid debt instruments with original maturities of three months or less when purchased.

Investments

The deposits and investments of RAB's monies are governed by an investment policy adopted by the board of directors. Under the policy, monies not needed for immediate expenditure may be invested in (1) U. S. Government and Agency obligations, (2) certificates of deposit issued by financial institutions within the U. S. and its territories up to the maximum FDIC limit, (3) certain collateralized mortgage obligations, and (4) common stock subject to limitations.

RAB reports its investments in marketable securities with readily determinable fair values and all investments in debt securities at their fair values as determined by published trade prices in accordance with GASB Statement No. 31 and included in the statement of net position. Investment return includes interest, dividends, realized and unrealized gains and losses, administrative fees, and net amortization/accretion of investments in fixed securities and is included in the statement of revenues, expenses, and changes in net position.

Income Taxes

The Internal Revenue Code imposes an excise tax on private foundations equal to two percent of net investment income (primarily interest, dividends, and net realized capital gains, less expenses incurred in the production of investment income). This tax is reduced to one percent when certain distribution requirements are met. RAB was subject to the two percent rate in 2012.

Federal excise taxes for 2012 of \$31,709 have been accrued as a liability and included as an expense during 2012. The federal excise taxes generated by these investments reflect the amount actually self-assessed and reported to the IRS. The portion of deferred taxes is considered to not be material, and it is management's opinion that this presentation more accurately reflects the income tax liability and expense to the readers of these financial statements.

2. Deposits

For reporting purposes, money market funds are included as deposits. Deposits in money market funds are stated at cost, which approximate market. The balance of RAB's money market account at December 31, 2012 was \$256,684. RAB's deposits are not exposed to custodial credit risk because its existence is not evidenced by securities that exist in physical or book entry form.

3. Investments

Investments in U.S. government obligations, U.S agency obligations, corporate bonds, common stocks, and mutual funds, are valued at the quoted market prices in the active market on which the individual securities are traded. At December 31, 2012, investment securities of \$24,052,103 and investments reported as cash and cash equivalents of \$256,684, as presented in the Statement of Net Position, consist of the following:

Relay Administration Board

Notes to Financial Statements

	Cost	Fair Value	% of Investments	Standard and Poor's Service Credit Quality Rating	Weighted Average Maturity
Federal Home Loan Mortgage Corporation (FHLMC)	\$ 2,118,696	\$ 2,167,093	8.9%	*	10.33
Federal National Mortgage Association (FNMA)	560,824	606,986	2.5%	*	6.04
US Treasury Note	4,242,575	4,299,902	17.7%	*	3.23
Bank of America Corp	255,345	291,398	1.2%	A-	4.92
Bank of New York	299,814	326,868	1.3%	A+	8.73
Berkshire Hathaway Finance Corp	506,075	601,440	2.5%	AA+	5.37
Burlington Northn Santa Fe	249,415	258,000	1.1%	BBB+	9.21
Merck & Co.	506,695	601,825	2.5%	AA	6.50
UBS Ag Stamford	202,566	202,888	0.8%	A	1.08
Vale Overseas	296,688	320,253	1.3%	A-	9.04
Walgreen Co	202,014	201,114	0.8%	BBB	4.71
Wyeth	544,660	571,090	2.3%	AA	3.13
International Business Machs	243,434	267,138	1.1%	AA-	5.79
John Deere Capital	499,910	505,270	2.1%	A	0.25
Morgan Stanley	199,362	217,434	0.9%	A-	2.79
Simon Property Group	508,222	563,220	2.3%	A-	2.92
Verizon Communications	498,190	586,750	2.4%	A-	4.25
Zimmer Holdings	250,108	251,880	1.0%	A-	1.92
Nobel Energy	254,722	262,126	1.1%	BBB	6.17
Total debt securities - portfolio weighted avg maturity	12,439,315.00	13,102,675.00	53.90%		
Common Stock	8,138,984.00	9,467,729	38.95%	*	
Mutual Funds invested in Common Stock	1,326,906.00	1,481,699	6.10%	*	
Total amount reported as investments	21,905,205.00	24,052,103	98.94%		
Money Market Fund - cash equivalent	256,684.00	256,684	1.06%		
Total Investments	22,161,889.00	24,308,787	100.00%		

* Credit quality ratings are not required for U.S. government securities, mutual funds or common stocks.

Custodial Credit Risk

For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, RAB will not be able to recover the value of its investments that are in the possession of an outside party. RAB does not have an investment policy for custodial credit risk. At December 31, 2012, RAB's investments in common stock, mutual funds, and U.S. government and agency securities are uninsured on the performance of the custodian and are exposed to custodial credit risk because they are held by the counterparty's trust department, but not in RAB's name.

Concentration of Credit Risk

RAB has adopted an investment policy which limits the percentage of total investments that can be invested in various categories and types of investments. Investments in equity securities are permitted to represent between 25% and 60% of the investment portfolio while fixed income securities are permitted to represent between 40% and 70% of the investment portfolio. Cash is allowed to represent between 0% and 10% of the total portfolio. RAB has also adopted a policy that limits its investments in equity securities to a maximum of 5% of its total investments in any one company unless said company comprises more than 5% of the Standard & Poor's 500 Stock Index, in which case the market value of the holding shall not exceed 10% of the equity portfolio. There are also limitations on concentrations in categories of equity investment types. At December 31, 2012, there were no investments in any one issuer of common stock that represented 5% or more of total investments. In addition, RAB has set a limit of 5% of its investments in fixed income securities that can be held in the fixed income securities of any single issuer, exclusive of the U.S. Government securities and federal agency securities guaranteed by the U.S. Government.

Relay Administration Board

Notes to Financial Statements

Credit Quality

RAB has adopted a policy that limits its investments of any single fixed income security to a minimum quality rating of “BBB-” by Standard and Poor’s (S&P) and “Baa3” by Moody’s Investors Service (Moody’s) at the time of purchase, with the exception of mortgage backed securities which be rated AAA or better. Additionally, the average quality rating of the fixed income portfolio shall be “A” for S&P and “A2” for Moody’s. Bonds rated “BBB” by S&P and “Baa” by Moody’s shall not exceed 10% of the total market value of the fixed income portfolio. If the rating of any fixed income security should fall below either of these credit quality rating levels, the investment manager must notify RAB to seek instructions regarding the remediation of the portfolio. At December 31, 2012 RAB was in compliance with the investment policy.

Interest Rate Risk

For an investment, interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Investments held for longer periods are generally subject to increased risk of value fluctuations due to interest rate changes. RAB’s policy is to measure and monitor the weighted average maturity and duration of the fixed income securities portfolio in order to manage exposure to interest rate risk. This includes the weighted average maturity and duration of the total fixed income portfolio, individual securities, as well as categories of securities held by RAB.

Investment Return

The following schedule summarizes investment return as presented in the Statement of Revenues, Expenses and Changes in Net Position for the year ended December 31, 2012:

Interest and dividend income	\$ 641,451
Net realized gain on sale of investments	1,099,676
Net unrealized gain on investments	503,813
	<hr/>
	2,244,940
Investment fees	(64,224)
Net amortization/accretion of investments in fixed securities	(95,926)
	<hr/>
	\$ 2,084,790
	<hr/>

4. Funding Sources

The Louisiana Public Service Commission issued Order No. U-17656-B directing local exchange carriers to collect an access fee of eleven cent (\$0.11) per access line and remit those funds to RAB to fund telephone relay services of the State of Louisiana. Effective April 2002, the Louisiana Public Service Commission eliminated the collection of the access line fee. As a result, RAB’s operations are now being funded from existing assets and investment earnings there from.

5. Board Member Compensation

Although compensation to board members is authorized by RAB’s by-laws, no compensation was paid to board members during 2012.

Relay Administration Board

Notes to Financial Statements

6. Legal Proceeding

RAB has been named a defendant in a two separate, but identical, lawsuits asserting that certain telecommunication relay service charges collected since the inception of RAB constituted an unconstitutional and illegal tax imposed by RAB and/or the Louisiana Public Service Commission. In regards to the first lawsuit, the plaintiff, on her own motion, sought and obtained, in July 2012, dismissal of the litigation with prejudice.

In regards to the second lawsuit, the plaintiff filed a motion in August 2012 for sequestration of 90% of RAB's funds; that motion is still under advisement at the date of this report. In December 2012, the plaintiff has obtained certification of the suit as a class action. Both RAB and its co-defendant, the Louisiana Public Service Commission, have opposed the duplicative litigation based on exceptions of *lis pendens* and prescription, and those exceptions are still under advisements at the date of this report.

RAB cannot reasonably estimate a loss contingency since litigation is inherently unpredictable. RAB believes the suit has no merit, but could incur judgments that adversely affect RAB's financial condition.

7. Subsequent Events

Management has evaluated subsequent events through June 24, 2013, which is the date the financial statements were available to be issued.

Supplementary Information

Relay Administration Board
Annual Fiscal Report
December 31, 2012

The following annual fiscal report (on pages 17–35) to the Office of the Governor, Division of Administration, Office of Statewide Reporting and Accounting Policy presents the financial position of the Relay Administration Board as of December 31, 2012, and the results of its operations (including cash flows) for the year then ended. The information is presented in the format requested by the Office of Statewide Reporting and Accounting Policy for consolidation into the Louisiana Comprehensive Annual Financial Report.

STATE OF LOUISIANA
Annual Financial Statements
Fiscal Year Ended December 31, 2012

Relay Administration Board

Division of Administration
Office of Statewide Reporting
and Accounting Policy
P. O. Box 94095
Baton Rouge, Louisiana 70804-9095

Physical Address:
1201 N. Third Street
Claiborne Building, 6th Floor, Suite 6-130
Baton Rouge, Louisiana 70802

Legislative Auditor
P. O. Box 94397
Baton Rouge, Louisiana 70804-9397

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1600 N. Third Street
Baton Rouge, Louisiana 70802

AFFIDAVIT

Personally came and appeared before the undersigned authority, Julia Thornton (Name)
Treasurer (Title) of the Relay Administration Board who duly sworn, deposes
and says, that the financial statements herewith given present fairly the financial position of the Relay
Administration Board at December 31, 2012 and the results of operations for the year then ended in accordance
with policies and practices established by the Division of Administration or in accordance with Generally
Accepted Accounting Principles as prescribed by the Governmental Accounting Standards Board. Sworn
and subscribed before me, this 27 day of June, 2013


Signature of Agency Official


NOTARY PUBLIC



Official Seal
Debra M. Cowart
Louisiana Notary 59296
Parish of Ascension
My Commission Expires with Life

Relay Administration Board – State of Louisiana

Annual Fiscal Report

Table of Contents

Statements

<u>Statement:</u>		<u>Page</u>
A	Statement of Net Position	18
B	Statement of Revenues, Expenses, and Changes in Net Position	19
C	Statement of Activities	20
D	Statement of Cash Flows	21

Notes to Annual Fiscal Report

<u>Note:</u>		
A.	Summary of Significant Accounting Policies	23
B.	Budgetary Accounting	23
C.	Deposits with Financial Institutions and Investments	24
D.	Capital Assets – Including Capital Lease Assets	29
E.	Inventories	29
F.	Restricted Assets	29
G.	Leave	29
H.	Retirement System	29
I.	Other Postemployment Benefits	29
J.	Leases	29
K.	Long-Term Liabilities	29
L.	Contingent Liabilities	30
M.	Related Party Transactions	30
N.	Accounting Changes	30
O.	In-Kind Contributions	31
P.	Defeased Issues	31
Q.	Revenues or Receivables – Pledged or Sold (GASB 48)	31
R.	Government-Mandated Non-exchange Transactions (Grants)	31
S.	Violations of Finance-Related Legal or Contractual Provisions	31
T.	Short-Term Debt	31
U.	Disaggregation of Receivable Balances	31
V.	Disaggregation of Payable Balances	31
W.	Subsequent Events	32
X.	Segment Information	32
Y.	Due to/Due from and Transfers	32
Z.	Liabilities Payable from Restricted Assets	32
AA.	Prior-Year Restatement of Net Assets	32
BB.	Net Assets Restricted by Enabling Legislation	32
CC.	Impairment of Capital Assets	32
DD.	Employee Termination Benefits	32
EE.	Pollution Remediation Obligations	32
FF.	American Recovery and Reinvestment Act (ARRA)	32
GG.	Restricted Net Assets – Other Purposes	32

Schedules

<u>Schedule</u>		
1	Schedule of Per Diem Paid to Board Members	33
15	Schedule of Comparison Figures	34

**State of Louisiana
Relay Administration Board (BTA)
Statement of Net Position
December 31, 2012**

Statement A

ASSETS		
Cash and cash equivalents		\$ 256,684
Restricted Cash and Cash Equivalents		-
Investments		11,920,720
Derivative instrument		-
Deferred outflow of resources		-
Receivables (net of allowance for doubtful accounts)(Note U)		-
Due from other funds (Note Y)		-
Due from federal government		-
Inventories		-
Prepayments		-
Notes receivable		-
Other current assets		88,587
Total current assets		12,265,991
NONCURRENT ASSETS:		
Restricted assets (Note F):		
Cash		-
Investments		-
Receivables		-
Investments		12,131,383
Notes receivable		-
Capital assets, net of depreciation (Note D)		
Land and non-depreciable easements		-
Buildings and improvements		-
Machinery and equipment		-
Infrastructure		-
Intangible assets		-
Construction/Development-in-progress		-
Other noncurrent assets		-
Total noncurrent assets		12,131,383
Total assets		\$ 24,397,374
LIABILITIES		
CURRENT LIABILITIES:		
Accounts payable and accruals (Note V)		\$ 222,709
Derivative instrument		-
Deferred inflow of resources		-
Due to other funds (Note Y)		-
Due to federal government		-
Deferred revenues		-
Amounts held in custody for others		-
Other current liabilities		-
Current portion of long-term liabilities: (Note K)		-
Contracts payable		-
Compensated absences payable		-
Capital lease obligations		-
Claims and litigation payable		-
Notes payable		-
Bonds payable (include unamortized costs)		-
Other long-term liabilities		-
Total current liabilities		222,709
NONCURRENT LIABILITIES: (Note K)		
Contracts payable		-
Compensated absences payable		-
Capital lease obligations		-
Claims and litigation payable		-
Notes payable		-
Bonds payable (include unamortized costs)		-
OPEB payable		-
Other long-term liabilities		-
Total noncurrent liabilities		-
Total liabilities		222,709
NET POSITION		
Invested in capital assets, net of related debt		-
Restricted for:		
Capital projects		-
Debt Service		-
Unemployment compensation		-
Other specific purposes		-
Unrestricted		24,174,665
Total net position		24,174,665
Total liabilities and net position		\$ 24,397,374

The accompanying notes are an integral part of this financial statement.

State of Louisiana
Relay Administration Board (BTA)
Statement of Revenues, Expenses, and Changes in Net Position
For the Year Ended December 31, 2012

Statement B

OPERATING REVENUE	
Sales of commodities and services	\$ -
Assessments	-
Use of money and property	-
Licenses, permits, and fees	-
Other	-
Total operating revenues	-
OPERATING EXPENSES	
Cost of sales and services	1,021,384
Administrative	196,042
Depreciation	-
Amortization	-
Total operating expenses	1,217,426
Operating income(loss)	(1,217,426)
NON-OPERATING REVENUES (EXPENSES)	
State appropriations	-
Intergovernmental revenues(expenses)	-
Taxes	(31,592)
Investment return, use of money and property	2,084,790
Gain on disposal of fixed assets	-
Loss on disposal of fixed assets	-
Federal grants	-
Interest expense	-
Other revenue	-
Other expense	-
Total non-operating revenues(expenses)	2,053,198
Income(loss) before contributions, extraordinary items, & transfers	835,772
Capital contributions	-
Extraordinary item - Loss on impairment of capital assets	-
Transfers in	-
Transfers out	-
Change in net position	835,772
Net position – beginning	23,338,893
Total position – ending	\$ 24,174,665

The accompanying notes are an integral part of this financial statement.

State of Louisiana
Relay Administration Board (BTA)
Statement of Activities
For the Year Ended December 31, 2012

Statement C

	Expenses	Program Revenues		Net (Expense)
	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Revenue and Changes in Net Assets
Entity	\$ 1,249,018	\$ -	\$ -	\$ -
General revenues:				
Taxes				-
State appropriations				-
Grants and contributions not restricted to specific programs				-
Interest and investment return				2,084,790
Miscellaneous				-
Special items				-
Extraordinary item - Loss on impairment of capital assets				-
Transfers				-
Total general revenues, special items, and transfers				2,084,790
Change in net assets				835,772
Net position - beginning				23,338,893
Net position - ending				\$ 24,174,665

State of Louisiana
Relay Administration Board (BTA)
Statement of Cash Flows
For the Year Ended December 31, 2012

Statement D

Cash flows from operating activities		
Cash receipts from customers	\$ -	
Cash receipts from interfund services provided	-	
Other operating cash receipts, if any	-	
Cash payments to suppliers for goods or services	(1,114,130)	
Cash payments to employees for services	-	
Cash payments for interfund services used, including payments "In Lieu of Taxes"	-	
Other operating cash payments, if any	-	
Net cash provided(used) by operating activities		<u>(1,114,130)</u>
Cash flows from non-capital financing activities		
State appropriations	-	
Federal receipts	-	
Federal disbursements	-	
Proceeds from sale of bonds	-	
Principal paid on bonds	-	
Interest paid on bond maturities	-	
Proceeds from issuance of notes payable	-	
Principal paid on notes payable	-	
Interest paid on notes payable	-	
Operating grants received	-	
Transfers in	-	
Transfers out	-	
Other	-	
Net cash provided(used) by non-capital financing activities		<u>-</u>
Cash flows from capital and related financing activities		
Proceeds from sale of bonds	-	
Principal paid on bonds	-	
Interest paid on bond maturities	-	
Proceeds from issuance of notes payable	-	
Principal paid on notes payable	-	
Interest paid on notes payable	-	
Acquisition/construction of capital assets	-	
Proceeds from sale of capital assets	-	
Capital contributions	-	
Other	-	
Net cash provided(used) by capital and related financing activities		<u>-</u>
Cash flows from investing activities		
Purchases of investment securities	(16,894,587)	
Proceeds from sale of investment securities	17,424,073	
Interest and dividends earned on investment securities	604,320	
Income taxes	(24,606)	
Net cash provided(used) by investing activities		<u>1,109,200</u>
Net increase(decrease) in cash and cash equivalents		<u>(4,930)</u>
Cash and cash equivalents at beginning of year		<u>261,614</u>
Cash and cash equivalents at end of year		<u>\$ 256,684</u>

The accompanying notes are an integral part of this financial statement.

State of Louisiana
 Relay Administration Board (BTA)
 Statement of Cash Flows
 For the Year Ended December 31, 2012

Statement D

Reconciliation of operating income(loss) to net cash provided(used) by operating activities:

Operating income(loss)		\$ <u>(1,217,426)</u>
Adjustments to reconcile operating income(loss) to net cash provided(used) by operating activities:		
Depreciation/amortization	<u>-</u>	
Provision for uncollectible accounts	<u>-</u>	
Other		
Changes in assets and liabilities:		
(Increase)decrease in accounts receivable, net	<u>-</u>	
(Increase)decrease in due from other funds	<u>-</u>	
(Increase)decrease in prepayments	<u>-</u>	
(Increase)decrease in inventories	<u>-</u>	
(Increase)decrease in other assets	<u>-</u>	
Increase(decrease) in accounts payable and accruals	<u>103,296</u>	
Increase(decrease) in compensated absences payable	<u>-</u>	
Increase(decrease) in due to other funds	<u>-</u>	
Increase(decrease) in deferred revenues	<u>-</u>	
Increase(decrease) in OPEB payable	<u>-</u>	
Increase(decrease) in other liabilities	<u>-</u>	
Net cash provided(used) by operating activities		\$ <u><u>(1,114,130)</u></u>

Schedule of noncash investing, capital, and financing activities:

Borrowing under capital lease(s)		\$ <u>-</u>
Contributions of fixed assets		<u>-</u>
Purchases of equipment on account		<u>-</u>
Asset trade-ins		<u>-</u>
Other (specify)		<u>-</u>
Net increase in fair market value of investments		<u>503,813</u>
Net amortization/accretion of investments in fixed securities		<u>(95,926)</u>
		<u>-</u>
Total noncash investing, capital, and financing activities:		\$ <u><u>407,887</u></u>

**State of Louisiana
Relay Administration Board (BTA)
Notes to Financial Statements
As of and For the Year Ended December 31, 2012**

INTRODUCTION

The Relay Administration Board (referred to as “RAB”) was created as a non-profit corporation by the Louisiana Public Service Commission, a body created by the Louisiana Constitution, as provided by Order Number U-17656-A pursuant to the telecommunications sections of the Americans with Disabilities Act of 1990 and other applicable regulations adopted by the Federal Communications Commission.

A. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

BASIS OF ACCOUNTING

In April of 1984, the Financial Accounting Foundation established the Governmental Accounting Standards Board (GASB) to promulgate generally accepted accounting principles and reporting standards with respect to activities and transactions of state and local governmental entities. The GASB has issued a Codification of Governmental Accounting and Financial Reporting Standards (GASB Codification). This codification and subsequent GASB pronouncements are recognized as generally accepted accounting principles for state and local governments. The accompanying financial statements have been prepared in accordance with such principles.

The accompanying financial statements of the RAB (BTA) present information only as to the transactions of the programs of RAB (BTA) as authorized by Louisiana statutes and administrative regulations.

Basis of accounting refers to when revenues and expenses are recognized and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied.

The accounts of RAB (BTA) are maintained in accordance with applicable statutory provisions and the regulations of the Division of Administration – Office of Statewide Reporting and Accounting Policy as follows:

Revenue Recognition

Revenues are recognized using the full accrual basis of accounting; therefore, revenues are recognized in the accounting period in which they are earned and become measurable.

Expense Recognition

Expenses are recognized on the accrual basis; therefore, expenses, including salaries, are recognized in the period incurred, if measurable.

B. BUDGETARY ACCOUNTING

The appropriations made for the operations of the various programs of the RAB (BTA) are annual lapsing appropriations.

1. The budgetary process is an annual appropriation valid for one year.
2. The agency is prohibited by statute from over expending the categories established in the budget.

State of Louisiana
Relay Administration Board (BTA)
Notes to Financial Statements
As of and For the Year Ended December 31, 2012

	Cash	Nonnegotiable Certificates of Deposit	Money Market	Total
Deposits per Balance Sheet (Reconciled bank balance)	\$ _____	\$ _____	\$ 256,684	\$ 256,684
Deposits in bank accounts per bank	\$ _____	\$ _____	\$ 256,684	\$ 256,684
Bank balances exposed to custodial credit risk:				
a. Uninsured and uncollateralized	_____	_____	_____	_____
b. Uninsured and collateralized with securities held by the pledging institution	_____	_____	_____	_____
c. Uninsured and collateralized with securities held by the pledging institution's trust department or agent, but not in the entity's	_____	_____	_____	_____

RAB's deposits are not exposed to custodial credit risk because its existence is not evidenced by securities that exist in physical or book entry form.

2. INVESTMENTS

The deposits and investments of RAB's monies are governed by an investment policy adopted by the board. Under the policy, monies not needed for immediate expenditure may be invested in (1) U. S. Government and Agency obligations, (2) certificates of deposit issued by financial institutions within the U. S. and its territories up to the maximum FDIC limit, (3) certain collateralized mortgage obligations, and (4) common stock subject to limitations.

Investment securities are carried at fair value, as determined by published trade prices, in accordance with GASB Statement No. 31. Fair value is the estimated price that would be received to sell an asset in an orderly transaction between market participants at the measurement date. Unrealized and realized gains and losses are reported in the accompanying statement of revenues, expenses, and changes in net position.

Custodial Credit Risk

Investments can be exposed to custodial credit risk if the securities underlying the investment are uninsured, not registered in the name of the entity, and are either held by the counterparty or held by the counterparty's trust department or agent, but not in the entity's name. Repurchase agreements are not subject to credit risk if the securities underlying the repurchase agreement are exempt from credit risk disclosure. Using the following table, list each type of investment disclosing the total carrying amounts and market values, and any amounts exposed to custodial credit risk.

State of Louisiana
Relay Administration Board (BTA)
Notes to Financial Statements
As of and For the Year Ended December 31, 2012

GASB Statement 40 amended GASB Statement 3 to eliminate the requirement to disclose all investments by three categories of risk. GASB Statement 40 requires only the separate disclosure of investments that are considered to be exposed to custodial credit risk. Those investments exposed to custodial credit risk are reported by type in one of two separate columns depending upon whether they are held by a counterparty, or held by a counterparty's trust department or agent not in the entity's name. In addition, the total reported amount and fair value columns still must be reported for total investments regardless of exposure to custodial credit risk.

Type of Investment	Investments Exposed to Custodial Credit Risk		All Investments Regardless of Custodial Credit Risk Exposure	
	Uninsured, *Unregistered, and Held by Counterparty	Uninsured, *Unregistered, and Held by Counterparty's Trust Dept. or Agent Not in Entity's Name	Reported Amount Per Balance Sheet	Fair Value
Negotiable CDs	\$ -	\$ -	\$ -	\$ -
Repurchase agreements	-	-	-	-
U.S. Government Obligations **	-	-	4,299,901	4,299,901
U.S. Agency Obligations***	-	-	2,774,078	2,774,078
Common & preferred stock	-	9,467,729	9,467,729	9,467,729
Mortgages (including CMOs & MBSs)	-	-	-	-
Corporate bonds	-	6,028,696	6,028,696	6,028,699
Mutual funds	-	1,481,699	1,481,699	1,481,699
Real estate	-	-	-	-
External Investment Pool (LAMP) ****	-	-	-	-
External Investment Pool (Other)	-	-	-	-
Other: (identify)	-	-	-	-
	-	-	-	-
	-	-	-	-
	-	-	-	-
	-	-	-	-
Total investments	\$ -	\$ 16,978,124	\$ 24,052,103	\$ 24,052,106

* Unregistered - not registered in the name of the government or entity

** These obligations generally are not exposed to custodial credit risk because they are backed by the full faith and credit of the U.S. government. (See Appendix A, Memo 13-01 for the definition of US Government Obligations)

*** These obligations may not be exposed to custodial credit risk (See Appendix A, Memo 13-01 for discussion of FNMA & FHLMC)

**** LAMP investments should not be included in deposits AND should be identified separately in this table to ensure LAMP investments are not double-counted on the State level.

State of Louisiana
Relay Administration Board (BTA)
Notes to Financial Statements
As of and For the Year Ended December 31, 2012

3. CREDIT RISK, INTEREST RATE RISK, CONCENTRATION OF CREDIT RISK, AND FOREIGN CURRENCY RISK DISCLOSURES

A. Credit Risk of Debt Investments

Disclose the credit risk of debt investments by credit quality ratings as described by rating agencies as of the fiscal year end, including the rating agency used (Moody's, S&P, etc.). All debt investments regardless of type can be aggregated by credit quality rating (if any are un-rated, disclose that amount).

	Cost	Fair Value	% of Investments	Standard and Poor's Service Credit Quality Rating	Weighted Average Maturity
Federal Home Loan Mortgage Corporation (FHLMC)	\$ 2,118,696	\$ 2,167,093	8.9%	*	10.33
Federal National Mortgage Association (FNMA)	560,824	606,986	2.5%	*	6.04
US Treasury Note	4,242,575	4,299,902	17.7%	*	3.23
Bank of America Corp	255,345	291,398	1.2%	A-	4.92
Bank of New York	299,814	326,868	1.3%	A+	8.73
Berkshire Hathaway Finance Corp	506,075	601,440	2.5%	AA+	5.37
Burlington Northn Santa Fe	249,415	258,000	1.1%	BBB+	9.21
Merck & Co.	506,695	601,825	2.5%	AA	6.50
UBS Ag Stamford	202,566	202,888	0.8%	A	1.08
Vale Overseas	296,688	320,253	1.3%	A-	9.04
Walgreen Co	202,014	201,114	0.8%	BBB	4.71
Wyeth	544,660	571,090	2.3%	AA	3.13
International Business Machs	243,434	267,138	1.1%	AA-	5.79
John Deere Capital	499,910	505,270	2.1%	A	0.25
Morgan Stanley	199,362	217,434	0.9%	A-	2.79
Simon Property Group	508,222	563,220	2.3%	A-	2.92
Verizon Communications	498,190	586,750	2.4%	A-	4.25
Zimmer Holdings	250,108	251,880	1.0%	A-	1.92
Nobel Energy	254,722	262,126	1.1%	BBB	6.17
Total debt securities - portfolio weighted avg maturity	12,439,315.00	13,102,675.00	53.90%		
Common Stock	8,138,984.00	9,467,729	38.95%	*	
Mutual Funds invested in Common Stock	1,326,906.00	1,481,699	6.10%	*	
Total amount reported as investments	21,905,205.00	24,052,103	98.94%		
Money Market Fund - cash equivalent	256,684.00	256,684	1.06%		
Total Investments	22,161,889.00	24,308,787	100.00%		

* Credit quality ratings are not required for U.S. government securities, mutual funds or common stocks.

B. Interest Rate Risk of Debt Investments

Disclose the interest rate risk of debt investments by listing the investment type, total fair value, and breakdown of maturity in years for each debt investment type.

	Less Than 1 Year	1 - 5 years	6 - 10 years	Greater Than 10 years	Total at Fair Value
U.S. government obligations	\$ 254,903	\$ 2,969,462	\$ 1,075,537	\$ -	\$ 4,299,902
U.S. agency obligations	125,123	798,653	879,011	971,292	2,774,079
Corporate bonds	505,270	2,885,774	2,637,650	-	6,028,694
	<u>\$ 885,296</u>	<u>\$ 6,653,889</u>	<u>\$ 4,592,198</u>	<u>\$ 971,292</u>	<u>\$ 13,102,675</u>

State of Louisiana
Relay Administration Board (BTA)
Notes to Financial Statements
As of and For the Year Ended December 31, 2012

C. Concentration of Credit Risk

List, by amount and issuer, investments in any one issuer that represents 5% or more of total external investments (not including U.S. government securities, mutual funds, and investment pools).

Issuer	Amount	% of Total Investments
_____	\$ _____	_____
_____	_____	_____
_____	_____	_____
Total	\$ _____ -	_____

4. POLICIES

Custodial Credit Risk

For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, RAB will not be able to recover the value of its investments that are in the possession of an outside party. RAB does not have an investment policy for custodial credit risk. At December 31, 2012, RAB's investments in common stock, mutual funds, and U.S. government and agency securities are uninsured on the performance of the custodian and are exposed to custodial credit risk because they are held by the counterparty's trust department, but not in RAB's name.

Concentration of Credit Risk

RAB has adopted an investment policy which limits the percentage of total investments that can be invested in various categories and types of investments. Investments in equity securities are permitted to represent between 25% and 60% of the investment portfolio while fixed income securities are permitted to represent between 40% and 70% of the investment portfolio. Cash is allowed to represent between 0% and 10% of the total portfolio. RAB has also adopted a policy that limits its investments in equity securities to a maximum of 5% of its total investments in any one company unless said company comprises more than 5% of the Standard & Poor's 500 Stock Index, in which case the market value of the holding shall not exceed 10% of the equity portfolio. There are also limitations on concentrations in categories of equity investment types. At December 31, 2012, there were no investments in any one issuer of common stock that represented 5% or more of total investments. In addition, RAB has set a limit of 5% of its investments in fixed income securities that can be held in the fixed income securities of any single issuer, exclusive of the U.S. Government securities and federal agency securities guaranteed by the U.S. Government.

State of Louisiana
Relay Administration Board (BTA)
Notes to Financial Statements
As of and For the Year Ended December 31, 2012

Credit Quality

RAB has adopted a policy that limits its investments of any single fixed income security to a minimum quality rating of “BBB-” by Standard and Poor’s (S&P) and “Baa3” by Moody’s Investors Service (Moody’s) at the time of purchase, with the exception of mortgage backed securities which be rated AAA or better. Additionally, the average quality rating of the fixed income portfolio shall be “A” for S&P and “A2” for Moody’s. Bonds rated “BBB” by S&P and “Baa” by Moody’s shall not exceed 10% of the total market value of the fixed income portfolio. If the rating of any fixed income security should fall below either of these credit quality rating levels, the investment manager must notify RAB to seek instructions regarding the remediation of the portfolio. At December 31, 2012 RAB was in compliance with the investment policy.

Interest Rate Risk

For an investment, interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Investments held for longer periods are generally subject to increased risk of value fluctuations due to interest rate changes. RAB’s policy is to measure and monitor the weighted average maturity and duration of the fixed income securities portfolio in order to manage exposure to interest rate risk. This includes the weighted average maturity and duration of the total fixed income portfolio, individual securities, as well as categories of securities held by board.

- D. Capital Assets – Including Capital Lease Assets – NONE**
- E. Inventories – NONE**
- F. Restricted Assets – NONE**
- G. Leave – NONE**
- H. Retirement System – NONE**
- I. Other Postemployment Benefits – NONE**
- J. Leases – NONE**
- K. Long-Term Liabilities – NONE**

State of Louisiana
Relay Administration Board (BTA)
Notes to Financial Statements
As of and For the Year Ended December 31, 2012

L. CONTINGENT LIABILITIES

RAB has been named a defendant in a suit asserting that certain telecommunication relay service charges collected since the inception of RAB constituted an unconstitutional and illegal tax imposed by RAB and/or the Louisiana Public Service Commission. The plaintiffs are seeking to have suit certified as a class action. RAB intends to vigorously defend these claims and the class certification. The suit is in the early stages of discovery and the ultimate outcome is not currently predictable. Although RAB believes that the suit has no merit, there can be no assurances that the litigation will be resolved in the defendants' favor and an adverse resolution could adversely affect RAB's financial condition and provision of telecommunications relay services to the hearing-impaired and speech-impaired residents of Louisiana.

The RAB's legal advisor is unable to estimate the effect on the financial statements nor is he able to determine the potential legal costs.

M. RELATED PARTY TRANSACTIONS – NONE

N. ACCOUNTING CHANGES

RAB has implemented GASB No. 63, Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position, effective fiscal year 2012. This standard provides guidance for reporting the financial statement elements of deferred outflows of resources and deferred inflows of resources. Deferred outflows represent the consumption of the government's net position that is applicable to a future reporting period. A deferred inflow represents the acquisition of net position that is applicable to a future reporting period.

Because deferred outflows and deferred inflows are, by definition, neither assets nor liabilities, the statement of net assets title is now referred to as the statement of net position. The statement of net position reports net position as the difference between all other elements in a statement of net position and should be displayed in three components—net investment in capital assets, restricted net position (distinguishing between major categories of restrictions), and unrestricted net position.

As of December 31, 2012, all of RAB's net position was unrestricted. Unrestricted net position is the balance (deficit) of all other elements in a statement of net position remaining after net investment in capital assets and restricted net position.

There was no effect on assets, liabilities, or net position from the implementation of GASB No. 63

State of Louisiana
 Relay Administration Board (BTA)
 Notes to Financial Statements
 As of and For the Year Ended December 31, 2012

- O. In-Kind Contributions — NONE
- P. Defeased Issues — NONE
- Q. Revenues or Receivables – Pledged or Sold (GASB 48) — NONE
- R. Government-Mandated Non-exchange Transactions (Grants)— NONE
- S. Violations of Finance-Related Legal or Contractual Provisions — NONE
- T. Short-Term Debt — NONE

U. DISAGGREGATION OF RECEIVABLE BALANCES

Receivables at December 31, 2012 were as follows:

Fund (gen. fund, gas tax fund, etc.)	Customer Receivables	Taxes	Receivables from other Governments	Other Receivables	Total Receivables
General	\$	\$	\$	\$ 88,587	\$ 88,587
Gross receivables	\$ -	\$ -	\$ -	\$ 88,587	\$ 88,587
Less allowance for uncollectible accounts	-	-	-	-	-
Receivables, net	\$ -	\$ -	\$ -	\$ 88,587	\$ 88,587
Amounts not scheduled for collection during the subsequent year	\$ -	\$ -	\$ -	\$ -	\$ -

V. DISAGGREGATION OF PAYABLE BALANCES

Payables at December 31, 2012 as follows:

Fund	Vendors	Salaries and Benefits	Accrued Interest	Income Tax Liability	Total Payables
General	\$ 191,000	\$ -	\$ -	\$ 31,709	\$ 222,709
Total payables	\$ 191,000	\$ -	\$ -	\$ 31,709	\$ 222,709

State of Louisiana
Relay Administration Board (BTA)
Notes to Financial Statements
As of and For the Year Ended December 31, 2012

- W. Subsequent Events — NONE**
- X. Segment Information — NONE**
- Y. Due to/Due from and Transfers — NONE**
- Z. Liabilities Payable from Restricted Assets — NONE**
- AA. Prior-Year Restatement of Net Assets — NONE**
- BB. Net Assets Restricted by Enabling Legislation — NONE**
- CC. Impairment of Capital Assets — NONE**
- DD. Employee Termination Benefits — NONE**
- EE. Pollution Remediation Obligations — NONE**
- FF. American Recovery and Reinvestment Act (ARRA) — NONE**
- GG. Restricted Net Assets – Other Purposes — NONE**

State of Louisiana
Relay Administration Board (BTA)
Schedule of Per Diem Paid to Board Members
December 31, 2012

Schedule 1

Name	Amount
Bonnie Eades	\$ -
Thelma Covell	-
Naomi Dedual	-
Julia Thornton	-
Total	\$ <u><u>-</u></u>

Note: The per diem payments are authorized by Louisiana Revised Statute, and are presented in compliance with House Concurrent Resolution No. 54 of the 1979 Session of the Legislature.

State of Louisiana
 Relay Administration Board (BTA)
 Comparison Figures
 December 31, 2012

Schedule 15

	<u>2012</u>	<u>2011</u>	<u>Difference</u> Increase (Decrease)	<u>Percentage</u> <u>Change</u> Increase (Decrease)
1) Revenues	\$ <u>2,084,790</u>	\$ <u>724,441</u>	\$ <u>1,360,349</u>	<u>187.78%</u>
Expenses	<u>1,249,017</u>	<u>1,140,156</u>	<u>(108,861)</u>	<u>9.55%</u>
2) Capital assets	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Long-term debt	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Position	<u>24,174,665</u>	<u>23,338,893</u>	<u>835,772</u>	<u>3.58%</u>

Explanation for change:

To assist OSRAP in determining the reason for the change in financial position for the State, please complete the schedule below. If the change is greater than **\$3 million**, explain the reason for the change.

Other Required Reports

**Independent Auditors' Report on Internal Control over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Financial Statements
Performed in Accordance with *Government Auditing Standards***

To the Board of Directors
Relay Administration Board

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the business-type activities of the Relay Administration Board, as of and for the year ended December 31, 2012, and the related notes to the financial statements, which collectively comprise the Relay Administration Board's basic financial statements and have issued our report thereon dated June 24, 2013.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Relay Administration Board's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Relay Administration Board's internal control. Accordingly, we do not express an opinion on the effectiveness of the Relay Administration Board's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Relay Administration Board's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which are described in the accompanying schedule of findings and responses as items 2012-1, 2012-2, and 2012-3.

The Relay Administration Board's Response to Findings

The Relay Administration Board's response to the findings identified in our audit is described in the accompanying Schedule of Findings and Management's Response. Although we have included management's written response to our comments, such responses have not been subjected to the auditing procedures applied in our audit of the financial statements and, accordingly, we do not express an opinion or provide any form of assurance on the appropriateness of the responses or the effectiveness of any corrective actions described therein.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Covington, Louisiana
June 24, 2013

Relay Administration Board

Schedule of Findings and Management's Responses

For the Year Ended December 31, 2012

We have audited the accompanying financial statements of the business-type activities of the Relay Administration Board ("RAB"), a component unit of the State of Louisiana, as of and for the year ended December 31, 2012, which collectively comprise RAB's financial statements as listed in the table of contents. We have issued our report thereon dated June 24, 2013. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

A. Summary of Auditors' Results

1. Our audit of the financial statements of RAB as of and for the year ended December 31, 2012 resulted in an unmodified opinion.
2. The audit did not disclose any significant deficiencies in internal control that are considered to be material weaknesses.
3. The audit did disclose three instances of noncompliance as noted in the "Independent Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*." The three instances of noncompliance were reported the previous nine years.

B. Findings in Accordance with *Government Auditing Standards*

Compliance:

2012-01 Deposits and investments did not comply with Louisiana State law

Condition

At December 31, 2012, RAB had investments consisting of \$256,684 in a money market fund, \$7,073,981 in government and agency securities, \$6,028,694 in corporate bonds, \$9,467,729 in common stocks, and \$1,481,699 in mutual funds.

Criteria

Louisiana Revised Statutes allow RAB to invest monies under their control and not on deposit in the state treasury in: (a) time certificates of deposit of state banks organized under the laws of Louisiana, (b) national banks having their principal office in the State of Louisiana, (c) in savings accounts or in shares of savings and loan associations, (d) and savings banks and in share accounts and share certificate accounts of federally or state chartered credit unions.

Cause

The finding noted occurred as a result of RAB adopting an investment policy that does not align with Louisiana's revised statutes.

Effect

Failure to adhere to state law could result in RAB's monies not being properly maintained and allocated.

Relay Administration Board

Schedule of Findings and Management's Responses (*Continued*)

For the Year Ended December 31, 2012

Recommendation

We recommend RAB to identify all applicable state laws and regulations to develop policies and procedures to ensure compliance with those laws and regulations. Funds in the control of RAB should be invested in accordance with Louisiana Revised Statute 49:327(C)(1)(a).

Management's Response

RAB does not concur with the proposed finding that it did not comply with all applicable state laws and regulations governing the deposit, investment, or disbursement of public funds. RAB believes the proposed finding appears to be based on an assumption that RAB falls within the term "state agencies" for purposes of LA R.S. 49 327(C)(1). The term "state agencies" is not actually defined in that statute. No authoritative tribunal or body has made a binding determination that RAB fell or falls within the category of "state agencies" for purposes of LA R.S. 49 327(C)(1). Hence, RAB has no basis to conclude that the cited statute is applicable to those funds.

Second, this proposed finding appears to be based on an assumption that RAB was or is a "state agency" for purposes of LA R.S. 39 372(A)(1). The term "state agency" is not actually defined in that statute, except by mention of Article VII, Section 9(A) of the Louisiana Constitution of 1974. That constitutional provision does not actually define "state agency" and does not purport to define "state agency." No authoritative tribunal or body has made a binding determination that RAB was or is a "state agency" for purposes of either LA R.S. 39 372(A)(1) or Article VII, Section 9(A) of the Louisiana Constitution of 1974. If the constitutional article is applicable to RAB (which at this time has yet to be determined), paragraph (1) of Section 9(A) of Article VII states that money received by a state agency need not be deposited in the State treasury when it has been received "as a result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise."

As noted by both RAB (in prior discussions with the Office of the Legislative Auditor) and the Attorney General in his Opinion No 03-0081 page 3, money received by RAB from the Louisiana Commission for the Deaf (presumably arising from the \$0.05 tax ultimately collected by the Louisiana Commission for the Deaf) was required by a series of contracts between RAB and the Louisiana Commission for the Deaf to be used solely for the purpose of providing telecommunications relay services. The Attorney General also concluded that the Louisiana Commission for the Deaf "has contributed voluntarily to help fund and create the telecommunications relay services" Louisiana Attorney General Opinion No 03-0081, page 4. The money arising from the monthly \$0.11 telephone access line charge, which was certainly a form of assistance (for the recovery of intrastate telecommunications relay services costs from telephone ratepayers as mandated by the FCC) received by the local exchange carriers from telephone ratepayers and which was collected by the Louisiana Public Service Commission and turned over by the Louisiana Public Service Commission to RAB, was likewise dedicated solely to the provision of the telecommunications relay services.

Relay Administration Board

Schedule of Findings and Management's Responses (*Continued*)

For the Year Ended December 31, 2012

The Attorney General in Opinion No 03-0081, page 3, notes that the provision of telecommunications relay services is federally mandated and is funded (in part) by the \$0.11 rate fee. Any failure of RAB to use such grants, donations and other forms of assistance from the Louisiana Commission for the Deaf and Louisiana telephone ratepayers in compliance with those terms, conditions and agreements, namely, the utilization of the funds for the provision of telecommunications relay services, would violate the representations made to telephone ratepayers by the Louisiana Public Service Commission, RAB's contractual obligations to the Louisiana Commission for the Deaf and the mandates of federal law and regulation.

In addition, the monthly \$0.11 telephone access line charge was not a tax, but rather a telephone line access charge. If, as the Office of the Legislative Auditor suggests, the Louisiana Public Service Commission could not impose the \$0.11 charge for telecommunications relay services, or such charge represents an "overcharge" for telecommunications relay services, which RAB denies, the resulting funds in their entirety likely belong either to Louisiana telephone ratepayers or to the local exchange carriers, and would have to be refunded pursuant to applicable state laws, regulations and jurisprudence relating to utility regulation, the jurisdiction of which lies solely with the Louisiana Public Service Commission. Under those circumstances, any alleged requirement that the funds be deposited into the State treasury without constitutional or statutory protections ensuring use of the funds only for or in support of the provision of telecommunications relay services would cause a wrongful confiscation of those funds by the State of Louisiana or its acting instrumentality and would constitute an unconstitutional taking (under both the federal and Louisiana constitutions) of property from Louisiana telephone ratepayers or the local exchange carriers, thereby subjecting the State of Louisiana and the acting instrumentality to legal action

Third, except for earnings on RAB's investments, which earnings it has used to pay for telecommunications relay services for the hearing-impaired and speech-impaired community in Louisiana, RAB has received no significant funds from any source for several years.

Fourth, RAB has voluntarily made its books and records, including any and all banking and checking records, available for inspection and audit by the Office of the Legislative Auditor. As a result, for a number of years the Office of the Legislative Auditor has been fully aware of the deposits, investments and disbursements of RAB's funds.

2012-02 Funds were not deposited into the state treasury

Condition

RAB did not deposit its funds into the state treasury, as required by the Louisiana Constitution and Revised Statutes.

Criteria

Article VII, Section 9(A) of the Louisiana Constitution and Louisiana Revised Statute 49:308 require that all monies received by any state board, agency, or commission be deposited immediately upon receipt into the state treasury.

Relay Administration Board
Schedule of Findings and Management's Responses (*Continued*)
For the Year Ended December 31, 2012

Cause

The finding noted occurred as a result of RAB adopting an investment policy that does not align with Louisiana's revised statutes.

Effect

Failure to adhere to state law could result in RAB's monies not being properly maintained and allocated.

Recommendation

We recommend RAB to identify all applicable state laws and regulations to develop policies and procedures to ensure compliance with those laws and regulations. RAB should remit all funds collected to the state treasury for deposit.

Management's Response

RAB does not concur with the proposed finding that RAB was required to deposit funds into the State treasury. As noted above, for the provision of telecommunications relay services, RAB (1) accepted grants, donations or other forms of assistance, pursuant to certain contractual requirements, from the Louisiana Commission for the Deaf and (2) exercised control over funds collected from the monthly \$0.11 telephone access line charge by the local exchange carriers and transferred by the local exchange carriers, by directive of the Louisiana Public Service Commission in compliance with FCC requirements, to RAB's accounts. The funds from the Louisiana Commission for the Deaf were generated by action of the Louisiana legislature (and not RAB) in imposing a monthly \$0.05 tax (dedicated to purposes determined by the Louisiana Commission for the Deaf) on telephone lines. The monthly \$0.11 telephone access line charge arose through action of the Louisiana Public Service Commission in requiring that the charge be included on telephone bills, again to satisfy FCC requirements. RAB did not "generate" the resulting funds received as donations from the Louisiana Commission for the Deaf or as a result of telephone bill charges.

This proposed finding also appears predicated on an assumption that RAB was or is a "state agency" for purposes of LA R.S. 39 372(A)(1). The term "state agency" is not actually defined in that statute, except by reference in LA R.S. 39 372(A)(2) to Article VII, Section 9(A) of the Louisiana Constitution of 1974. That constitutional provision does not actually, or even purport to, define "state agency." No authoritative tribunal or body has made a binding determination that RAB was or is a "state agency" for purposes of either LA R.S. 39 372(A)(1) or Article VII, Section 9(A) of the Louisiana Constitution of 1974. If the constitutional article is applicable to RAB (which at this time has yet to be determined), paragraph (I) of Section 9(A) of Article VII states that money received by a state agency need not be deposited in the state treasury when it has been received "as a result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise." As noted by both RAB (in prior discussions with the Office of the Legislative Auditor), and the Attorney General in his Opinion No 03-0081 at page 3, money received by RAB from the Louisiana Commission for the Deaf (presumably arising from the \$0.05 tax ultimately collected by the Louisiana Commission for the Deaf) was required by a series of contracts between RAB and the Louisiana Commission for the Deaf to be used solely for the purpose of providing telecommunications relay services. The Attorney General also concluded that the Louisiana Commission for the Deaf "has contributed voluntarily to help fund and create the telecommunications relay service" Louisiana Attorney General Opinion No 03-0081, p 4.

Relay Administration Board

Schedule of Findings and Management's Responses (*Continued*)

For the Year Ended December 31, 2012

The money arising from the monthly \$0.11 telephone access line charge, which was certainly a form of telecommunications relay services cost recovery received by the local exchange carriers from telephone ratepayers and turned over, by directive of the Louisiana Public Service Commission in compliance with FCC requirements, to RAB's accounts, was likewise dedicated solely to the provision of the telecommunications relay services. The Attorney General in Opinion No 03-0081, page 3, notes that the provision of telecommunications relay services is federally mandated and is funded (in part) by the \$0.11 "rate fee." Any failure of RAB to use such grants, donations and other forms of assistance from the Louisiana Commission for the Deaf and Louisiana telephone ratepayers in compliance with those terms, conditions and agreements, namely, the utilization of the funds for the provision of telecommunications relay services, would violate the representations made to telephone ratepayers by the Louisiana Public Service Commission, RAB's contractual obligations to the Louisiana Commission for the Deaf and the State's legal duty to comply with federal law and regulation, particularly the Americans with Disabilities Act.

Finally, the monthly \$0.11 telephone access line charge was not a tax, but rather a telephone line access charge. If, as the Office of the Legislative Auditor suggests the Louisiana Public Service Commission could not impose the \$0.11 charge for telecommunications relay services or such charge represents an "overcharge" for telecommunications relay services, the resulting funds in their entirety belong to the Louisiana telephone ratepayers and must be refunded pursuant to applicable state laws, regulations and jurisprudence relating to utility regulation. Under those circumstances, any alleged requirement that the funds be deposited into the State treasury without constitutional or statutory protections ensuring use of the funds only for the provision of telecommunications relay services would cause a wrongful confiscation of those funds by the State of Louisiana or its acting instrumentality and would constitute an unconstitutional taking (under both the federal and Louisiana constitutions) of property from Louisiana telephone ratepayers, thereby subjecting the State of Louisiana and the acting instrumentality to legal action. Except for earnings on RAB's investments, which earnings it has used to pay for telecommunications relay services for the hearing-impaired and speech-impaired community in Louisiana, RAB has received no significant funds from any source for several years. Moreover, RAB has voluntarily made its books and records, including any and all banking and checking records, available for inspection and audit by Office of the Legislative Auditor. As a result, for a number of years the Office of the Legislative Auditor has been fully aware of the deposits, investments and disbursements of RAB's funds.

2012-03 Funds were expensed without proper appropriation

Condition

RAB did not expend funds in accordance with an annual appropriation by the legislature.

Criteria

Article VII, Section 10(D) of the Louisiana Constitution requires that money shall be drawn from the state treasury only pursuant to an appropriation made in accordance with law.

Cause

The finding occurred as a result of operating expenses being paid directly from RAB's money market fund by the financial institution's trust department.

Relay Administration Board
Schedule of Findings and Management's Responses (*Continued*)
For the Year Ended December 31, 2012

Effect

Failure to adhere to state law could result in RAB's monies not being properly maintained and allocated.

Recommendation

We recommend RAB to identify all applicable state laws and regulations to develop policies and procedures to ensure compliance with those laws and regulations. No funds should be expended except in the amounts appropriated each year by the legislature.

Management's Response

RAB does not concur with the proposed finding that it did not expend funds in accordance with "an annual appropriation by the legislature." The proposed finding assumes that the funds in question have been deposited, or are required to be deposited, into the State treasury and further assumes that RAB is some form of "state agency" responsible for "appropriations." In addition, the proposed finding completely ignores the fact that the funds cannot be used for purposes not directly related to telecommunications relay services. An alternative use would be a wrongful confiscation of those funds by the State of Louisiana or its acting instrumentality and therefore would constitute an unconstitutional taking (under both the federal and Louisiana constitutions) of property from Louisiana telephone ratepayers, thereby subjecting the State of Louisiana and the acting instrumentality to legal action.

As a result, RAB cannot concur with the proposed findings without resolution by an authoritative tribunal or body of the applicability of certain statutes to the operations of RAB. Furthermore, for the same reason, no corrective action can be taken by RAB at this time.

Relay Administration Board

Schedule of Prior Year Findings and Responses

For the Year Ended December 31, 2012

The Relay Administration Board's ("RAB") financial statements as of and for the year ended December 31, 2011 were audited by other auditors, and their report dated June 11, 2012 expressed an unmodified opinion on those audited financial statements. As part of the predecessor's audit in accordance with *Government Auditing Standards*, as issued by the Comptroller General of the United States, they issued the "Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*" dated June 11, 2012. Within the report, the predecessor auditor noted three instances of noncompliance they consider to be material to the financial statements. The following information addresses those three instances on noncompliance:

A. Prior Year Findings in Accordance with *Government Auditing Standards*

Compliance:

+

2011-01 Deposits and investments did not comply with Louisiana State law

Condition and Criteria

At December 31, 2011, RAB had investments consisting of \$261,614 in a money market fund, \$6,272,271 in government and agency securities, \$8,422,181 in common stocks, \$7,360,554 in corporate bonds and \$1,019,020 in mutual funds, which do not comply with state law. Louisiana Revised Statutes allow RAB to invest monies under their control and not on deposit in the state treasury in: (a) time certificates of deposit of state banks organized under the laws of Louisiana, (b) national banks having their principal office in the State of Louisiana, (c) in savings accounts or in shares of savings and loan associations, (d) and savings banks and in share accounts and share certificate accounts of federally or state chartered credit unions.

Recommendation

The predecessor auditor recommended RAB to identify all applicable state laws and regulations to develop policies and procedures to ensure compliance with those laws and regulations. Funds in the control of RAB should be invested in accordance with Louisiana Revised Statute 49:327(C)(1)(a).

Updated Management's Response

RAB did not and still does not concur with the proposed finding. During the course of an audit by the Office of the Legislative Auditor in 2003, significant issues arose as to what laws and regulations are applicable to the operations of RAB. These issues remain unresolved between RAB, the Louisiana Public Service Commission and the Office of the Legislative Auditor. Also, in that same year the Office of the Legislative Auditor sought an opinion from the Attorney General regarding some of these issues. Given that the Office of the Legislative Auditor's 2003 audit report led directly to the filing of a purported class action petition against RAB, the Attorney General has refused to issue an opinion on these issues. Also, some of the Office of the Legislative Auditor's proposed findings were directly refuted by Attorney General Opinion No 03-0081. As a result, RAB cannot concur with the proposed findings without resolution by an authoritative tribunal or body of the applicability of certain statutes to the operations of RAB. Furthermore, for the same reason, no corrective action can be taken by RAB at this time.

Relay Administration Board
Schedule of Prior Year Findings and Responses (*Continued*)
For the Year Ended December 31, 2012

2011-02 Funds were not deposited into the state treasury

Condition and Criteria

RAB did not deposit its funds into the state treasury, as required by the Louisiana Constitution and Revised Statutes. Article VII, Section 9(A) of the Louisiana Constitution and Louisiana Revised Statute 49:308 require that all monies received by any state board, agency, or commission be deposited immediately upon receipt into the state treasury.

Recommendation

The predecessor auditor recommended all funds collected be remitted to the treasury for deposit.

Updated Management's Response

RAB did not and still does not concur with the proposed finding. During the course of an audit by the Office of the Legislative Auditor in 2003, significant issues arose as to what laws and regulations are applicable to the operations of RAB. These issues remain unresolved between RAB, the Louisiana Public Service Commission and the Office of the Legislative Auditor. Also, in that same year the Office of the Legislative Auditor sought an opinion from the Attorney General regarding some of these issues. Given that the Office of the Legislative Auditor's 2003 audit report led directly to the filing of a purported class action petition against RAB, the Attorney General has refused to issue an opinion on these issues. Also, some of the Office of the Legislative Auditor's proposed findings were directly refuted by Attorney General Opinion No 03-0081. As a result, RAB cannot concur with the proposed findings without resolution by an authoritative tribunal or body of the applicability of certain statutes to the operations of RAB. Furthermore, for the same reason, no corrective action can be taken by RAB at this time.

2011-03 Funds were expensed without proper appropriation

Condition and Criteria

RAB did not expend funds in accordance with an annual appropriation by the legislature. Article VII, Section 10(D) of the Louisiana Constitution requires that money shall be drawn from the state treasury only pursuant to an appropriation made in accordance with law.

Recommendation

The predecessor auditor recommended that no funds should be expended except in the amounts appropriated each year by the legislature.

Updated Management's Response

RAB did not and still does not concur with the proposed finding. During the course of an audit by the Office of the Legislative Auditor in 2003, significant issues arose as to what laws and regulations are applicable to the operations of RAB. These issues remain unresolved between RAB, the Louisiana Public Service Commission and the Office of the Legislative Auditor. Also, in that same year the Office of the Legislative Auditor sought an opinion from the Attorney General regarding some of these issues. Given that the Office of the Legislative Auditor's 2003 audit report led directly to the filing of a purported class action petition against RAB, the Attorney General has refused to issue an opinion on these issues. Also, some of the Office of the Legislative Auditor's proposed findings were directly refuted by Attorney General Opinion No 03-0081.

Relay Administration Board
Schedule of Prior Year Findings and Responses (*Continued*)
For the Year Ended December 31, 2012

In addition, the proposed finding completely ignores the fact that the funds cannot be used for purposes not directly related to telecommunications relay services. An alternative use would be a wrongful confiscation of those funds by the State of Louisiana or its acting instrumentality and therefore would constitute an unconstitutional taking (under both the federal and Louisiana constitutions) of property from Louisiana telephone ratepayers, thereby subjecting the State of Louisiana and the acting instrumentality to legal action.

As a result, RAB cannot concur with the proposed finding without resolution by an authoritative tribunal or body of the applicability of certain statutes to the operations of RAB. Furthermore, for the same reason, no corrective action can be taken by RAB at this time.