

## DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Registrar, Department of Health, pursuant to the authority set forth in § 27 of the Vital Records Act of 1981, effective October 8, 1981 (D.C. Law 4-34; D.C. Official Code § 7-226 (2001)), hereby gives notice of the adoption of the following amendment to section 2801 of Title 29 of the District of Columbia Municipal Regulations. The Registrar took final action to adopt these rules on September 13, 2004. Notice of proposed rulemaking was published in the *D.C. Register* on July 30, 2004, at 51 DCR 7565. The purpose of the final rule is to expand the existing section 2801.8 authority that permits only birth certificates to be transmitted by electronic means to the Registrar, Department of Health. The revised rule will permit any vital records information to be electronically transmitted to the Registrar if the information meets the other requirements of section 2801.8. No comments have been received regarding the proposed rule and no changes have been made since publication of the Notice of Proposed Rulemaking. These final rules will become effective upon publication of this notice in the *D.C. Register*.

**Subsection 2801.8 of Title 29 (Public Welfare) (May 1987) of the District of Columbia Municipal Regulations (DCMR) is amended to read as follows:**

- 2801.8 Information that is properly transmitted to and received by the Registrar through electronic means shall be considered to be registered as of the date of transmission, provided that:
- (a) The Registrar has authorized the transmitting institution to transmit the information;
  - (b) The electronic means by which the document is transmitted is secure within parameters the Registrar establishes in writing;
  - (c) The Register acknowledges and verifies receipt of the information; and
  - (d) The transmitting institution subsequently files a properly completed original certificate with the Registrar.

## THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF FINAL RULEMAKING

The Board of Commissioners of the District of Columbia Housing Authority ("DCHA") hereby gives notice of the adoption of final rules which contains the rules governing occupancy of redeveloped and special needs public housing properties. Final action to adopt these rules was taken on September 15, 2004. Notice of Proposed Rulemaking was published in the D.C. Register on August 13, 2004. These final rules will be effective upon publication of this notice in the D.C. Register.

Chapter 61, Admission and Recertification, is amended by inserting a new Section 6113 to read as follows and renumbering existing Section 6113 through 6120 as 6114 through 6121:

**"6113           TENANT ADMISSIONS AND OCCUPANCY:   REDEVELOPED AND SPECIAL NEEDS PROPERTIES**

6113.1           Definitions: Redeveloped Properties are mixed-finance, mixed-income communities owned by private entities which communities are created through HOPE VI or other public funding combined with extensive private funding and which have some or all their units assisted with public housing operating funds. Special Needs Properties are DCHA-owned or privately-owned units assisted with public housing operating funds and managed by service providers for residents with special needs for supportive services.

6113.2           Overview. Redeveloped Properties and Special Needs Properties because of the unique nature of their substantial private funding and private ownership and/or management have admissions and occupancy rules that are tailored to the particular property, type of occupancy and need to coordinate with other supportive services programs in many cases. This Regulation sets forth the regulatory framework for the property-based rules and ongoing DCHA oversight or approvals governing occupancy and re-occupancy selection criteria, application processing, waiting lists, lease provisions, income determinations, and grievance procedures. DCHA pursuant to that certain Moving to Work Agreement entered into by and between the US Department of Housing and Urban Development dated July 25, 2003, provides that DCHA may, notwithstanding otherwise applicable federal statutes or regulations issued pursuant to the Housing Act of 1937, adopt local rules for the governance of its Low Rent (public housing) and Housing Choice Voucher Programs. Thus, notwithstanding any other local or federal rule that might otherwise be applicable, the provisions of this Section 6113 apply to Redeveloped Properties and Special Needs Properties so designated by the Board of Commissioners. All other provisions of local rules and applicable federal rules regarding occupancy and admissions to public housing shall apply.

- 6113.3 Selection Criteria. Occupancy and re-occupancy selection criteria, including priorities and preferences, for applicants at Redeveloped and Special Needs Properties are those prepared uniquely for that property as developed by representatives of DCHA, the community, the private developer, owner, or manager, and representatives of current residents, prospective residents or former residents as the case may be.
- (a) While the occupancy and re-occupancy selection criteria vary by property, selection and screening criteria for all properties will include the mandatory federal standards with respect to certain types of criminal activity as specified in federal statute.
  - (b) The occupancy and re-occupancy selection criteria are available at the management office serving the property, as well as from DCHA's Client Placement Division.
- 6113.4 Application Process. Each property will develop its own process for taking applications, subject to review and approval by DCHA.
- (a) Application forms for returning residents and applicants are developed by the owner for the redeveloped property and are subject to review and approval by DCHA.
  - (b) Completed applications for returning residents, transferring residents or applicants as the case may be are accepted at the property and are reviewed and approved in accordance with the criteria approved in accordance with Subsection 6113.2.
  - (c) The occupancy and re-occupancy application and selection process will be monitored by DCHA's Client Placement Division
- 6113.5 Waiting Lists.
- (a) Where the number of returning residents, transferring residents or new applicants exceeds the number of available units, applicants seeking to be housed at the property will be placed on a waiting list.
    - (i) Waiting lists will be maintained by the manager of the property based on date and time of application and in accordance with the selection criteria developed for the property and approved by DCHA in accordance with Subsection 6113.2 hereof; or
    - (ii) At certain properties, a basic eligibility determination for public housing will be made by DCHA's Client Placement Division and eligible tenants will be referred to the property where the property's selection criteria will be applied.

- (b) A list of all properties, along with the status of each site based waiting list as either open or closed, will be available from the DCHA's Client Placement Division. When a property makes a determination to open its waiting list, notice will be provided to the DCHA resident advisory board and published in the District of Columbia Register.

6113.6 Lease Terms. Leases for redeveloped properties are developed by the owner in cooperation with DCHA and representatives of the former residents and are subject to approval by DCHA for compliance with applicable DCHA and federal statutes. Provisions relating to rent, rent collection, security deposits and excess utility charges may vary from the DCHA standard lease.

6113.7 Income Determinations. Certification and recertification of income will be performed by the manager of the property and monitored periodically by DCHA for compliance with applicable DCHA and federal regulations. At certain Special Needs Properties designated by DCHA, income for certification and recertification purposes will be disregarded for up to two years of occupancy."

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA  
1333 H STREET, N.W., 2<sup>nd</sup> FLOOR, WEST TOWER  
WASHINGTON, D.C. 20005

NOTICE OF FINAL RULEMAKING

TELEPHONE TARIFF 04-2, IN THE MATTER OF THE APPLICATION OF VERIZON-  
WASHINGTON, D.C., INC., FOR AUTHORITY TO AMEND THE GENERAL  
SERVICES TARIFF, P.S.C. - D.C. -No. 203

1. The Public Service Commission of the District of Columbia ("Commission") hereby gives notice of its final rulemaking action, taken in Order No. 13383 (September 17, 2004), to approve the tariff application of Verizon Washington, D.C. Inc. ("Verizon DC")<sup>1</sup> to amend the following tariff pages:

**GENERAL SERVICES TARIFF, P.S.C.-D.C.-No. 203**  
**Section 21, 3<sup>rd</sup> Revised Page 12**

2. Through this tariff filing Verizon DC sought to increase the current rates for residential Caller ID and residential Call Waiting.<sup>23</sup> Verizon DC proposed to increase the monthly rate for residential Caller ID by six percent, from \$7.50 to \$7.95, and by 10 percent for residential Call Waiting, from \$5.45 to \$6.00. These residential services are classified under Price Cap Plan 2002 as discretionary, which does not permit Verizon DC to increase rates by more than 15 percent in a given year.<sup>4</sup> Verizon DC asserted that the tariff filing was submitted in compliance with the requirements of Price Cap Plan 2002.<sup>5</sup>

3. A Notice of Proposed Rulemaking inviting public comment was issued on June 18, 2004.<sup>6</sup> Nine Verizon DC customers filed comments opposing the increase in rates, each generally

<sup>1</sup> *Telephone Tariff 04-2, In the Matter of the Application of Verizon Washington, DC, Inc. For Authority to Amend the General Services Tariff, P.S.C.-D.C.-No. 203*, Letter from J. Henry Ambrose, Vice President for Regulatory Matters of Verizon DC to Sanford M. Speight, Acting Commission Secretary, filed June 1, 2004 ("Application").

<sup>2</sup> Application at 1.

<sup>3</sup> *Id.*

<sup>4</sup> *Formal Case No. 1005, In the Matter of Verizon Washington, D.C. Inc.'s Price Cap Plan 2002 for the Provision of Local Telecommunications Services in the District of Columbia*, Order No. 12368, rel. April 1, 2003.

<sup>5</sup> See Application at 1.

<sup>6</sup> 50 D.C. Reg. 6247-6248 (2004).

stating that Verizon DC's rates were already too high and that the company's quality of service had deteriorated.<sup>7</sup> Subsequently, the Commission, in Order No. 13383, approved Verizon DC's tariff application, finding that, because the proposed rate increases were below the 15 percent annual increase allowable for discretionary services, the application complied with Price Cap Plan 2002.<sup>8</sup> This tariff modification becomes effective upon the publication date of this Notice of Final Rulemaking in the *D.C. Register*.

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<sup>7</sup> See *Telephone Tariff 04-2*: Comments of Charlene E. Scott, filed June 4, 2004; Don Karnes, filed July 12, 2004; Vivian Lynn, filed July 16, 2004; Robert Aagro, filed July 26, 2004; Dea Varsovcky, filed July 26, 2004; Irene Schneiderman, filed August 4, 2004; Leopold Sukiennik, filed August 10, 2004; Robert T. Murphy, filed August 10, 2004; and Sharon F. Golden, filed September 8, 2004.

<sup>8</sup> Order No. 13257 at 2; see also Price Cap Plan 2002 at §§ 3(a) (1), 3(a) (2), and 3(a) (3).