

MEMORANDUM

September 11, 1991

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (MURPHY) *Cm TL*

RE: DOCKET NO. 910769-TL

25059

Attached is an ORDER APPROVING TARIFF FILING in the above-referenced docket, which is ready to be issued.

CWM/mgf

Attachment

cc: Division of Communications

910769a.mgf

(5)

*Protests
due 10/4/91*

DOCUMENT NUMBER-DATE

09148 SEP 13 1991

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing introducing public inmate calling services by SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY) DOCKET NO. 910769-TL) ORDER NO. 25059) ISSUED: 9/13/91)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
SUSAN F. CLARK
J. TERRY DEASON
BETTY EASLEY

ORDER APPROVING TARIFF FILING

BY THE COMMISSION:

On March 22, 1991, Southern Bell Telephone and Telegraph Company (Southern Bell or Company) filed proposed revisions to its General Subscriber Service Tariff. The purpose of this filing was to introduce pay telephone services for use in confinement facilities, such as correctional facilities and hospitals for the mentally ill, which follow the guidelines delineated in Order No. 24101. The proposed service, known as Public Inmate Calling Service, will provide the confinement facility administrator with several call management options:

1. It may be arranged for outward-only calling.
2. It may be arranged to limit calls to fifteen minutes, with notice of disconnect.
3. It may be arranged to block 911 and 411 calls.
4. It may provide unrestricted use in fully supervised areas.
5. It will be arranged to allow only 0+ collect calls for local, intra/interLATA calls and to block all other calling.
6. It may be arranged to allow seven digit sent-paid local calling. This will be allowed by assigning PIN numbers to the inmates and allowing them to make a specified number of local calls without being charged at the time of the call. The confinement facility will be billed \$.25 per call by the LEC.

DOCUMENT NUMBER-DATE

09148 SEP 13 1991

FPSC-RECORDS/REPORTING

7. It may be arranged to limit calls to approved numbers.
8. It may be arranged to block access to certain numbers or NXX codes.
9. It may be arranged to deny access to all locally available interexchange carriers.
10. It may be arranged to provide call detail information such as date, time, and duration of calls, and called and calling telephone numbers if the facility stipulates that such information is necessary for fraud prevention and that it does not violate any laws. A conspicuous notice will be placed on or near the telephone station notifying callers that the information is being recorded.
11. It may be arranged to provide inmates with "free" calls to the local public defender's office. The confinement facility will be billed \$.25 per call by the LEC.

All of these restrictions are in compliance with the provisions outlined on pages 48-50 of Order No. 24101.

Additionally, the Company has proposed to limit to \$1.00 the charge for use of a debit card pay telephone station for local calls. This also complies with Order No. 24101.

Southern Bell did not include any revenue or cost data with the filing. The Company does not propose to charge for the service, although all calls made from the paystations will incur normal usage charges, such as the \$.25 per local message billed to the confinement facility but perceived as "free" to the inmates. The costs to the facility will consist of the charges for calls placed using the various methods of access and charges for unregulated CPE hardware and software, if required. Some of the more advanced features, such as call detail and PIN number assignments will require a PC and special software. The costs to the Company are expected to be minimal.

Public Inmate Calling Service is designed to reduce fraud in these facilities and to reduce the overall costs to the facility administrators as well as to the Company. It will be provided by request only and will not be aggressively marketed. We find that this tariff filing is appropriate. It was filed as a direct result

ORDER NO. 25059
DOCKET NO. 910769-TL
PAGE 3

of Order No. 24101 and follows the language of that Order. The Company has received several requests for this service from confinement facilities and we find that it will help curtail the increasing fraud problems that such facilities are experiencing. Thus, we approve this tariff as filed.

The Commission is in the process of implementing rule changes to allow companies to provide the types of services proposed by the Southern Bell. However, currently, the Commission's rules prohibit some of the services proposed. Thus, it is necessary to waive Rules 25-4.076 (3), (4), Florida Administrative Code, pursuant to Rule 25-4.02, Florida Administrative Code. In order to allow Southern Bell to provide Public Inmate Calling Service to confinement facilities until a rule amendment is completed, these rules will be waived by a separate Proposed Agency Action Order issued in this Docket.

The effective date of this tariff shall be September 2, 1991. If no timely protest is filed to this tariff approval or to the aforementioned proposed agency action waiving rules, this docket shall be closed at the end of the protest periods.

Based upon the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed tariff to introduce Public Inmate Calling Service, by Southern Bell Telephone and Telegraph Company is hereby approved. It is further

ORDERED that this tariff shall become effective on September 2, 1991. If a timely protest is filed, as set forth below, this tariff shall remain in effect with any increase held subject to refund pending resolution of the protest. If no timely protest to this tariff is filed, and no timely protest to the proposed agency action approving rule waivers in this docket is filed, the docket shall be closed.

ORDER NO. 25059
DOCKET NO. 910769-TL
PAGE 4

By ORDER of the Florida Public Service Commission, this 13th
day of SEPTEMBER, 1991.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on 10/4/91.

In the absence of such a petition, this Order shall become final on the day subsequent to the above date.

ORDER NO. 25059
DOCKET NO. 910769-TL
PAGE 5

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the date this Order becomes final, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.