

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rules) DOCKET NO. 920363-TP
25-4.076, F.A.C., Pay)
Telephone Service Provided) ORDER NO. PSC-92-1430-FOF-TP
By Local Exchange Companies;)
25-24.511, F.A.C.,) ISSUED: 12/10/92
Application For Certificate;)
and 25-24.515, F.A.C., Pay)
Telephone Service (Provided)
By Other Than The Local)
Exchange Company).)

NOTICE OF ADOPTION OF RULE AMENDMENTS

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has adopted the amendments to Rule 25-4.076, 25-24.511, 25-24.515, F.A.C., relating to Pay Telephone Service Provided by Local Exchange Companies; Application for Certificate; and Pay Telephone Service (Provided by Other than the Local Exchange Company), F.A.C. without changes.

The rule amendments were filed with the Department of State on December 1, 1992, and will be effective on December 21, 1992. A copy of the relevant portions of the certification filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service Commission this 10th day of December, 1992.



STEVE TRIBBLE, Director
Division of Records & Reporting

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FPC RECORDS (25-24.511)

25-4.076 Pay Telephone Service Provided By Local Exchange Companies.

(1) Each local exchange company shall, where practical, supply at least one coin telephone in each exchange that will be available to the public on a twenty-four (24) hour basis. This coin telephone shall be located in a prominent location in the exchange. Except as provided herein, a telephone company may not be required to provide pay telephone service at locations where the revenues derived therefrom are insufficient to support the required investment unless reasonable public requirements will be served. Pay stations shall be lighted during the hours of darkness when light from other sources is not adequate to read instructions and use the instrument.

(2) Each telephone station shall return any deposited amount if the call is not completed, except messages to a Feature Group A access number.

(3) Each telephone station shall have the capability of coin free access to a local exchange company toll operator and the universal emergency telephone number "911" where operable; and coin free or coin return access to local directory assistance, intercept, repair service and calls to the business office of the company.

(4) Each telephone station shall be equipped with a legible sign, card or plate of reasonable permanence which shall identify

the following: the telephone number and location address of such station, the name of the certificate holder or recognizable logo of the owner and the party responsible for repairs or refunds, free telephone number of responsible party and clear dialing instructions (including notice of the lack of availability of local or toll service). The identification of the location address for local exchange and pay telephone companies shall be coordinated with the appropriate "911" or emergency center where applicable. For those paystations that will terminate conversation after (15) minutes, notice shall be included on the sign card as well as an audible announcement 30 seconds prior to termination of the phone call.

(5) Each telephone station which provides access to any long distance carrier company shall must provide coin free access, except for feature group A access, to all locally available interexchange long distance companies regardless of which form of access is available. For pay stations in equal access areas, such access shall be provided through the forms of access purchased by locally available long distance carriers and shall include 10XXX+0, 950 and 800 access. For those pay stations located in non-equal access areas, 00 shall directly access the AT&T operator. Where 00 is not available, 0- to the LEC operator shall be transferred upon request to an AT&T operator, and the instruction card shall so indicate.

(6) Each telephone station shall ~~must~~ allow incoming calls to be received, with the exception of those located at penal institutions, hospitals and schools, and at locations specifically exempted by the Commission. There shall be no charge for receiving incoming local calls. Where incoming calls are not received, intercept shall be provided.

(7) Where there are fewer than three telephones located in a group, a directory for the entire local calling area shall be maintained at each station. Where there are three or more telephones located in a group, a directory for the entire local calling area shall be maintained at every other station. However, where telephone stations are fully enclosed, a directory shall be maintained at each station.

(8) Normal maintenance and coin collection activity shall include a review of the cleanliness of each station and reasonable efforts shall be made to ensure that 95% of all stations are clean and free of obstructions.

(9) Except as provided in paragraphs (9)(a), (9)(b), and 9(c) below, each telephone station installed after January 5, 1987 shall conform to subsections 4.29.2 - 4.29.4 and 4.29.7 - 4.29.8 of the American National Standards Specifications for Making Buildings and Facilities Accessible and Usable by Physically Handicapped People, approved February 5, 1986 by the American National Standards Institute, Inc. (ANSI A117.1-1986), which is incorporated by

reference into this rule. Each telephone station installed prior to January 5, 1987 shall conform to the above standards by January 1, 1995.

(a) Effective June 1, 1992, where there are two or more telephone stations located in a group, there shall be a minimum of one telephone per group of ten which conforms to the above mentioned standards. The conforming station must be physically located in the group of telephone stations or within a clear line of sight within fifteen (15) feet of the group and free from wheelchair barriers.

(b) Except for locations on floors above or below entry level in buildings not serviced by a ramp or elevator, such stations shall be placed in areas accessible to the physically handicapped.

(c) Stations located in buildings which are not accessible to physically handicapped persons must comply with the above mentioned standards upon modification of the building to make it handicap-accessible, according to the Americans with Disabilities Act.

(10) Effective September 1, 1992, each telephone shall permit end users to input the additional digits necessary to complete calling card calls, using any locally available carrier, without operator intervention, and to utilize features such as voice mail box and menu driven answering devices. This requirement shall not be applicable to pay telephones located in confinement facilities.

(11) Pay stations located in confinement facilities shall be

exempt from the requirements of above subsections (1), (3), (5), and (7). Such pay stations shall also be exempt from the requirements of subsection (4), except for the audible and written 15 minute disconnect notification.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.03, F.S.

History: New 12/1/68, Amended 3/31/76, formerly 25-4.76, Amended 1/5/87, 4/14/92, 12/20/92.

25-24.511 Application for Certificate.

(1) An applicant shall submit an application on Form PSC/CMU 32 (1/91), which is incorporated into this rule by reference. Form PSC/CMU 32 (1/91), entitled "Application Form for Certificate to Provide Pay Telephone Service Within the State of Florida," may be obtained from the Commission's Division of Communications. An application fee of \$100.00 must accompany the filing of all applications. This is a non-refundable fee to cover the costs of processing the application and it has no relevance on the approval or denial of a certificate.

(2) An original and five (5) copies of the application shall be filed with the Division of Records and Reporting.

(3) Any pay telephone service authority previously granted or granted hereafter is subject to the following:

(a) Authority granted is statewide.

(b) Authority is to provide both local and intrastate toll

pay telephone service. A certificate to provide pay telephone service does not carry with it the authority to provide local exchange or interexchange service. A separate application must be made for such authority.

(4) A certificate will be granted if the Commission determines that grant of the application is in the public interest. One certificate per applicant will be granted unless the applicant shows that granting of additional certificates is in the public interest. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily cancelled unless the applicant shows that granting of the new certificate is in the public interest.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.32, 364.33, 364.335, 364.337, 364.3375, 364.345, F.S.

History: New 1/5/87. Amended 9/28/89, 4/8/91, 11/20/91, 12/20/92.

25-24.515 Pay Telephone Service.

(1) Pay stations shall be lighted during the hours of darkness when light from other sources is not adequate to read instructions and use the instrument.

(2) Each telephone station shall return any deposited amount if the call is not completed, except messages to a Feature Group A access number.

(3) Each telephone station shall permit access to the

universal telephone number "911" where operable, without requiring the use of a coin, paper money or a credit card. Where such number is not operable, the station shall permit access to a local exchange company toll operator under the same conditions.

(4) Each telephone station shall, without charge, permit access to local directory assistance and the telephone number of any person responsible for repairs or refunds but may provide access by coin return. Any long distance directory assistance charges applied to the pay telephone service company may be passed on to the customer.

(5) Each telephone station shall be equipped with a legible sign, card or plate of reasonable permanence which shall identify the following: telephone number and location address of such station, name of the certificate holder ~~or recognizable logo of the owner~~ and the party responsible for repairs and refunds, address of responsible party, free phone number of responsible party, clear dialing instructions (including notice of the lack of availability of local or toll services), and, where applicable, a statement that the phone is not maintained by the local exchange company. For those pay stations that will terminate conversation after fifteen (15) minutes, notice shall be included on the sign card as well as an audible announcement thirty (30) seconds prior to termination of the phone call.

(6) Each telephone station which provides access to any

interexchange company shall ~~must~~ provide coin free access, except for feature group A access, to all locally available interexchange companies. For pay stations in equal access areas, such access shall be provided through the forms of access purchased by locally available long distance carriers and shall include 10XXX+0, 950, and 800 access. For those paystations located in non-equal access areas, 102880 may be translated to 00 to directly access AT&T. Otherwise, in non-equal access areas, 00 shall directly route to an AT&T operator and the instruction card shall so indicate. Where 00 is not available, 0- shall route to the LEC operator for transfer to AT&T and the instruction card shall so indicate.

(7) All intralata calls, including operator service calls, shall be routed to the local exchange company, unless the end user dials the appropriate access code for their carrier of choice, i.e., 950, 800, 10XXX.

(8) ~~(7)~~ Each telephone station must allow incoming calls to be received, with the exception of those located at confinement facilities ~~penal institutions~~, hospitals and schools, and at locations specifically exempted by the Commission. Where incoming calls are not received, intercept shall be provided. There shall be no charge for receiving incoming local calls.

(9) ~~(8)~~ Each telephone station must be connected as provided in the pay telephone access tariff offered by the local exchange company.

(10) ~~(9)~~ The charge for calls may not exceed the rates shown in the local exchange company Pay Telephone Access Tariff.

(11) ~~(10)~~ (a) Each pay telephone service company shall make all reasonable efforts to minimize the extent and duration of interruptions of service. Service repair programs should have as their objective the restoration of service on the same day that the interruption is reported to the company. (Sundays and holidays excepted).

(b) Each telephone utility shall conduct its operations in such manner to ensure that, in each exchange, ninety-five (95%) percent of all interruptions in telephone service occurring in any calendar month shall be cleared and service restored within twenty-four (24) hours (Sundays and holidays excepted) after the trouble is reported to the company, except where such interruptions are caused by emergency situations, unavoidable casualties and acts of God affecting large groups of subscribers.

(12) ~~(11)~~ Where there are fewer than three telephones located in a group, a directory for the entire local calling area shall be maintained at each station. Where there are three or more telephones located in a group, a directory for the entire local calling area shall be maintained at every other station. However, where telephone stations are fully enclosed, a directory shall be maintained at each station.

(13) ~~(12)~~ Normal maintenance and coin collection activity

shall include a review of the cleanliness of each station and reasonable efforts shall be made to ensure that 95% of all stations are clean and free of obstructions.

(14) ~~(13)~~ Except as provided in subsections (14) ~~(13)~~(a), (14) ~~(13)~~(b), and (14) ~~13~~ (c) below, each telephone station installed after January 5, 1987 shall conform to subsections 4.29.2 - 4.29.4 and 4.29.7 - 4.29.8 of the American National Standards Specifications for Making Buildings and Facilities Accessible and Usable by Physically Handicapped People, approved February 5, 1986 by the American National Standards Institute, Inc. (ANSI A117.1-1986), which is incorporated by reference into this rule. Each telephone station installed prior to January 5, 1987 shall conform to the above standards by January 1, 1995.

(a) Effective June 1, 1992, where there are two or more telephone stations located in a group, there shall be a minimum of one telephone per group of ten which conforms to the above mentioned standards. The conforming station must be physically located in the group of telephone stations or within a clear line of sight within fifteen (15) feet of the group and free from wheelchair barriers.

(b) Except for locations on floors above or below entry level in buildings not serviced by a ramp or elevator, such stations shall be placed in areas accessible to the physically handicapped.

(c) Stations located in buildings which are not accessible to

physically handicapped persons must comply to the above mentioned standards upon modification of the building to make it handicap-accessible, according to the Americans with Disabilities Act.

(15) ~~(14)~~ Effective September 1, 1992, each telephone shall permit end users to input the additional digits necessary to complete calling card calls, using any locally available carrier, without operator intervention, and to utilize features such as voice mail box and menu driven answering devices. This requirement shall not be applicable to pay telephones located in confinement facilities.

(16) Pay stations locted in confinement facilities shall be exempt from the requirements of above subsections (1), (3), (4), (6), and (12). Such pay stations shall also be exempt from the requirements of subsection (5), except for the audible and written 15 minute disconnect notification.

Specific Authority: 350.127(2), F. S.

Law Implemented: 364.03, 364.035, 364.063, 364.337, 364.345, F.S.

History: New 1/5/87, Amended 4/14/92, 12/20/92.