

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rules ) DOCKET NO. 920326-TP  
25-4.076, 25-24.475, )  
and 25-24.515, F.A.C., ) ORDER NO. PSC-93-0109-FOF-TP  
pertaining to Toll Fraud )  
Liability. ) ISSUED: 01/21/93

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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 Rules 25-4.076. 25-24.475. amd 25-24.515, F.A.C., relating to toll fraud liability without change.

The rule amendment were filed with the Department of State on January 14, 1993, and will be effective on February 3, 1993. A copy of the relevant portions of the certification filed with the Secretary of State is attached to this Notice.

ORDERED that this docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service this 21st day of January, 1993.



STEVE TRIBBLE, Director  
Division of Records & Reporting

( S E A L )

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25-24.475 Company Operations; Rules Incorporated

(1) The following rules are incorporated herein by reference and apply to Interexchange Companies. In these rules, the word "local" should be omitted or interpreted as "toll", as they shall apply only to interexchange and not local service.

(a) The following rules apply to all Companies:

<u>Section</u>	<u>Title</u>	Portions Not <u>Applicable</u>
25-4.022	Complaint - Trouble Reports, etc.	None
25-4.036	Design and Construction of Plant	None
25-4.038	Safety	None
25-4.039	Traffic	None
25-4.071	Adequacy of Service	Subsections (1), (2), (3), (4), (5), (6)
25-4.076	<u>Pay Telephone Service Provided By Local Exchange Companies</u>	<u>All Subsections except (12)</u>
25-4.077	Metering and Recording Equipment	(5)
24-4.160	Operation of Telecommunications Relay Service	Subsections (2), (3)

(b) The following rules apply to Major Interexchange Companies only.

Portions Not

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<u>Section</u>	<u>Title</u>	<u>Applicable</u>
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25-4.023	Report of Interruptions	None
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25-4.069	Maintenance of Plant and Equipment	Subsection (3)
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25-4.070	Customer Trouble Reports	Subsections
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(1), (3),

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(5), (6), (7)

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25-4.071	Adequacy of Service	Subsection (3),
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(4), (5), (6)

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25-4.072	Transmission Requirements	Subsection
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(2), (3)

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25-4.073	Answering Time	None
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25-4.077	Metering and Recording Equipment	None
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25-4.078	Emergency Operation	Subsection (2)
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(2) A company may act as an agent of the customer in

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obtaining service from the local exchange company, provided the

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local exchange company bills the customer directly for the

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service rendered.

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(3) A company shall not lease intrastate-tariffed private

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line, or foreign exchange (FX) services or facilities of local

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exchange companies for the purpose of routing its customers'

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traffic, except as indicated in subsection (4).

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(4) Foreign exchange (FX) service provided by local

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exchange companies may be used by an interexchange company to

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originate calls for subsequent routing over the company's facilities. An Interexchange Company may not use FX service to terminate traffic.

(5) Each interexchange company shall order sufficient access facilities between the local exchange carrier's end office or tandem serving the interexchange company and the interexchange company's point of presence to meet the following service standard during the average business day busy hour during the busy season: At least 99% percent of all calls entering or exiting the local exchange carrier's local network at the interexchange company's point of interface on a Feature Group A or B basis will not encounter an all-trunk busy condition. Each interexchange company will maintain the required Busy Hour Minutes of Capacity to attain the 1% blockage requirement. For end-to-end Feature Group C & D service, the call completion rate shall not be less than the company's tariff standard, which in no case shall be less than 90 percent.

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

Law Implemented: 364.03, 364.035, 364.17, 364.14, 364.15, 364.16, 364.18, 364.185, 364.30, 364.337, 364.345, F.S.

History: New 2/23/87, Amended 6/25/90, 9/16/92, 2/3/93.

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

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(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

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address of such station, the name of the certificate holder 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 shall 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 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 allow incoming calls to be

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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),

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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

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3 voice mail box and menu driven answering devices. This  
4 requirement shall not be applicable to pay telephones located in  
5 confinement facilities.

6 (11) Pay stations located in confinement facilities shall be  
7 exempt from the requirements of above subsections (1), (3), (5),  
8 and (7). Such pay stations shall also be exempt from the  
9 requirements of subsection (4), except for the audible and  
10 written 15 minute disconnect notification.

11 (12) Toll Fraud Liability.

12 (a) A company providing interexchange telecommunications  
13 services or local exchange services shall not collect from a pay  
14 telephone provider for charges billed to a line for calls which  
15 originated from that line through the use of 10XXX+0, 10XXX+01,  
16 950-1/0XXX+0, or 1-800 access code, or when the call originating  
17 from that line otherwise reached an operator position, if the  
18 originating line is subscribed to outgoing call screening and the  
19 call was placed after the effective date of the outgoing call  
20 screening order.

21 (b) A company providing interexchange telecommunications  
22 services or local exchange services shall not collect from a pay  
23 telephone provider for charges for collect or third number billed  
24 calls, if the line to which the call was billed was subscribed to  
25 incoming call screening and the call was placed after the

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3 effective date of the incoming call screening order.

4 (c) Any calls billed through the local exchange company or  
5 directly by an interexchange company, or through a billing agent,  
6 which have been identified as not collectible as described in  
7 paragraphs (a) and (b) above, must be removed from any pay  
8 telephone provider's bill after the pay telephone provider gives  
9 notice of the fraudulent charges to the billing party. Such  
10 notice shall be provided to the LEC and IXC in writing no later  
11 than the due date of the bill.

12 (d) The LEC is responsible for charges described in  
13 paragraph (c) that are associated with the failure of the LEC's  
14 screening services.

15 (e) The IXC is responsible for charges described in  
16 paragraph (c) that are associated with its failure to properly  
17 validate calls via the appropriate local exchange company data  
18 base.

19 (f) Definitions: For purposes of this rule the term;

20 (i) "Effective Date" shall mean the date after the  
21 call screening order was placed and associated charges apply.

22 (g) Any charges accrued to a subscriber's line when the  
23 subscriber has paid the local exchange company to screen calls  
24 described in paragraphs (a) and (b) above shall not be the basis  
25 for discontinuance of local or intrastate service.

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

4 Law Implemented: 364.03, F.S.

5 History: New 12/1/68, Amended 3/31/76, formerly 25-4.76, Amended  
6 1/5/87, 4/14/92, 12/21/92, 2/3/93.

17 25-24.515 Pay Telephone Service.

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

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

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

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

125 (5) Each telephone station shall be equipped with a legible

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

15 (6) Each telephone station which provides access to any  
16 interexchange company shall provide coin free access, except for  
17 feature group A access, to all locally available interexchange  
18 companies. For pay stations in equal access areas, such access  
19 shall be provided through the forms of access purchased by  
20 locally available long distance carriers and shall include  
21 10XXX+0, 950, and 800 access. For those paystations located in  
22 non-equal access areas, 102880 may be translated to 00 to  
23 directly access AT&T. Otherwise, in non-equal access areas, 00  
24 shall directly route to an AT&T operator and the instruction card  
25 shall so indicate. Where 00 is not available, 0- shall route to

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3 the LEC operator for transfer to AT&T and the instruction card  
4 shall so indicate.

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

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

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

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

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

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

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

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

22 (14) Except as provided in subsections (14)(a), (14)(b), and  
23 (14)(c) below, each telephone station installed after January 5,  
24 1987 shall conform to subsections 4.29.2-4.29.4 and 4.29.7-4.29.8  
25 of the American National Standards Specifications for Making

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3 Buildings and Facilities Accessible and Usable by Physically  
4 Handicapped People, approved February 5, 1986 by the American  
5 National Standards Institute, Inc. (ANSI A117.1-1986), which is  
6 incorporated by reference into this rule. Each telephone station  
7 installed prior to January 5, 1987 shall conform to the above  
8 standards by January 1, 1995.

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

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

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

25 (15) Effective September 1, 1992, each telephone shall

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3 permit end users to input the additional digits necessary to  
4 complete calling card calls, using any locally available carrier,  
5 without operator intervention, and to utilize features such as  
6 voice mail box and menu driven answering devices. This  
7 requirement shall not be applicable to pay telephones located in  
8 confinement facilities.

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

14 (17) Toll Fraud Liability.

15 (a) A company providing interexchange telecommunications  
16 services or local exchange services shall not collect from a pay  
17 telephone provider for charges billed to a line for calls which  
18 originated from that line through the use of 10XXX+0, 10XXX+01,  
19 950-1/0XXX+0, or 1-800 access code, or when the call originating  
20 from that line otherwise reached an operator position, if the  
21 originating line is subscribed to outgoing call screening and the  
22 call was placed after the effective date of the outgoing call  
23 screening order.

24 (b) A company providing interexchange telecommunications  
25 services or local exchange services shall not collect from a pay

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3 telephone provider for charges for collect or third number billed  
4 calls, if the line to which the call was billed was subscribed to  
5 incoming call screening and the call was placed after the  
6 effective date of the incoming call screening order.

7 (c) Any calls billed through the local exchange company or  
8 directly by an interexchange company, or through a billing agent,  
9 which have been identified as not collectible as described in  
10 paragraphs (a) and (b) above, must be removed from any pay  
11 telephone provider's bill after the pay telephone provider gives  
12 notice of the fraudulent charges to the billing party. Such  
13 notice shall be provided to the LEC and IXC in writing no later  
14 than the due date of the bill.

15 (d) The LEC is responsible for charges described in  
16 paragraph (c) that are associated with the failure of the LEC's  
17 screening services.

18 (e) The IXC is responsible for charges described in  
19 paragraph (c) that are associated with the failure to properly  
20 validate calls via the appropriate local exchange company data  
21 base.

22 (f) Definitions: For purposes of this rule the term;

23 (i) "Effective Date" shall mean the date after the  
24 call screening order was placed and associated charges apply.

25 (g) Any charges accrued to a subscriber's line when the

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subscriber has paid the local exchange company to screen calls  
described in paragraphs (a) and (b) above shall not be the basis  
for discontinuance of local and intrastate service.

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, 12/21/92, 2/3/93.

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