

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 950165-TL
tariff filing to add) ORDER NO. PSC-95-0425-FOF-TL
international blocking as an) ISSUED: March 29, 1995
option for pay telephone (PATS))
providers by United Telephone)
Company of Florida. (T-95-017)
filed 1/10/95))
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER APPROVING TARIFF FILING
AND NOTICE OF PROPOSED AGENCY ACTION
ORDER MODIFYING ORDER NUMBER 24101

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed in Section II of this Order is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

I. BACKGROUND

By Order No. 24101, issued February 14, 1991, we required local exchange companies (LECs), at the request of the non-LEC pay telephone providers, to file tariff pages for mandatory screening, blocking, and intercept services for subscribers of private pay telephone access lines. On January 10, 1995, United Telephone Company of Florida (United) filed revisions to its General Exchange Tariff to convert international call blocking to an optional service for pay telephone (PATS) providers. Pursuant to Order Number 24101, international call blocking is a mandatory service. With this Order, we modify Order Number 24101 and allow international call blocking to be offered as an optional service and approve United's tariff filing to offer that service.

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II. ORDER MODIFYING ORDER NO. 24101

Order No. 24101 requires that international call blocking be offered as a mandatory service. The purpose of international call blocking is to help protect private pay telephone providers from toll fraud. When international call blocking is operational, the LEC, upon recognizing a "011" dialed after an access code or other dialing pattern, will intercept the call and place a message that the call cannot be completed. When Order No. 24101 was issued, PATS providers requested that the LECs be required to offer the blocking and screening options to protect against fraud. However, mandatory subscription by PATS providers no longer seems necessary because the LECs now offer coin lines. A coin line is an access line which provides pay telephone instruments with features and functions, such as call screening and blocking, call rating and recording and coin return, from the LEC's central office. Historically, non-LEC PATS (NPATS) providers had to rely on "smart" phones, which have such features programmed directly into the pay telephone, while LECs have been able to provide pay telephone service through coin lines using less expensive "dumb" telephones. Coin lines give NPATS providers a greater ability to compete with the LEC PATS providers.

Further, we have had requests from PATS providers to waive the mandatory tariff requirements. For example, in Docket No. 930893-TL, Telephone Operating Systems, Inc. (TOPS) requested we waive the international call blocking requirement for certain pay phones located in migrant labor camps. According to TOPS, most calls from such camps are coin calls and with international blocking, the calls cannot be completed. TOPS argued that since the LEC pay telephones in the area are able to complete such coin calls, mandatory international call blocking limited TOPS' ability to effectively compete with pay telephones in such areas.

Per Order Number PSC-93-1806-FOF-TC, issued December 20, 1993, we denied TOPS' request for the waiver because "there is an impending solution to this problem in the form of coin trunks, which obviates the need for current mandatory blocking features." Since these coin lines have been available since April 11, 1994 in United's territory, the mandatory international blocking is no longer necessary because it is available as an option in the coin line tariff.

We find that the requirement that it be mandatory for PATS providers to subscribe to international call blocking is no longer necessary. However, we believe it is necessary to keep international call blocking available in the tariff at the current rate for those PATS providers that do wish to subscribe to it.

PATS providers can activate international call blocking with a coin line or under the current tariff. Therefore, we modify the portion of Order No. 24101 dealing with blocking of international calling for pay telephone providers and allow international call blocking to be available as an option instead of being a requirement.

III. ORDER APPROVING TARIFF FILING

United filed proposed revisions to its General Exchange Tariff on January 10, 1995. The purpose of the revisions was to convert international call blocking to an optional service for PATS providers. United states that the filing is being proposed in response to requests from PATS providers to change the international blocking from a requirement to an option. This will allow the users of PATS telephones to access international dialing and the PATS providers to remain competitive in the market.

United's current coin telephone service tariff requires that PATS providers subscribe to international call blocking. The proposed revision allows PATS providers to subscribe to international call blocking if the providers wish but international call blocking is not required. The proposed tariff also contains language that PATS providers electing to allow access to international calling will be advised of the potential for fraud and their responsibilities.

Due to new technology (coin trunks) and the requests by the PATS providers for having the option of subscribing to international call blocking, we believe it is no longer necessary to make the blocking mandatory. United's proposed tariff keeps international call blocking available as an option to the PATS providers at the same rate that it is today. We, therefore, approve United's tariff to convert international call blocking to an optional service for pay telephone (PATS) providers, effective March 11, 1995. If the Proposed Agency Action in Section II of this Order is protested, the tariff will not become effective pending resolution of the protest.

It is, therefore,

ORDERED by the Florida Public Service Commission that international call blocking can now be offered as an optional service and is no longer mandatory, as described in Section II of this Order. It is further

ORDERED that Order No. 24101, issued February 14, 1991, is modified to allow international call blocking to be offered as an

ORDER NO. PSC-95-0425-FOF-TL
DOCKET NO. 950165-TL
PAGE 4

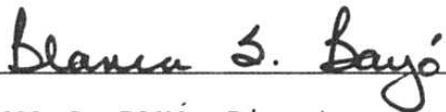
optional service, as described in Section II of this Order. It is further

ORDERED that the tariff to offer international call blocking as an optional service filed by United Telephone Company of Florida is approved, as described in Section III of this Order. It is further

ORDERED that if no person whose substantial interests are affected files a protest to the proposed agency action in Section II of this Order within 21 days of the issuance of this Order, that Section will become final, the tariff shall become effective on March 11, 1995, and this docket shall be closed.

ORDERED that if a timely protest is filed by a person whose substantial interests are affected, the tariff shall not become effective.

By ORDER of the Florida Public Service Commission, this 29th day of March, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

LMB

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 action proposed in Section II of this Order is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on April 19, 1995.

In the absence of such a petition, Section II of this Order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

If Section II of this order becomes final and effective on the date described above, any party substantially 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 wastewater 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 effective date of this order, 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.

The Commission's decision on the tariff described in Section III of this Order 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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on April 19, 1995.

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

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.

ORDER NO. PSC-95-0425-FOF-TL
DOCKET NO. 950165-TL
PAGE 6

If Section III of 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 wastewater 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.