

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of SOUTHERNNET) DOCKET NO. 890064-TC
 SERVICES, INC. for Certificate to) ORDER NO. 21221
 Provide Pay Telephone Service) ISSUED: 5-11-89

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, CHAIRMAN
 THOMAS M. BEARD
 BETTY EASLEY
 JOHN T. HERNDON
 GERALD L. (JERRY) GUNTER

NOTICE OF PROPOSED AGENCY ACTIONORDER GRANTING CERTIFICATE

BY THE COMMISSION:

Notice is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

On December 28, 1988, SouthernNet Services, Inc. (SSI) submitted an application for certification as a pay telephone provider, as well as a request for waiver of Rule 25-24.515(6), Florida Administrative Code. This authority is sought so that SSI may fulfill its contractual obligations to the Florida Department of Corrections to provide specialized phone service to correctional institutions in Florida. The Department of Corrections, in response to recent statutory amendments granting custodial inmates greater access to telephone service, requested competitive bids from interexchange companies (IXCs) and local exchange companies (LECs) to provide telephone service to prisons.

In Orders Nos. 14132 and 14454, we established guidelines for certification of pay phone providers (PATS), pursuant to authority in Section 364.335(4), Florida Statutes. However, payphone providers are not required to file tariffs. SSI has fulfilled all requirements for certification as a PATS provider. We find, therefore, that it should be certificated to provide pay telephone service with statewide authority for both local and toll services.

SSI's contract calls for operator-assisted telephone service to seven (7) penal institutions. Prisoners may originate operator-assisted collect calls only, using a 0-NPA-NXX-XXXX dialing configuration. The phone is equipped with an auto dialer which will intercept the digits dialed and screen the number to determine if the call is intraLATA or interLATA. All interLATA calls will be routed via Feature Group B access to a SouthernNet operator. IntraLATA calls will be diverted to the serving local exchange company, in compliance with Order No. 20489.

DOCUMENT NUMBER-DATE

04691 MAY 11 1989

FPSC-RECORDS/REPORTING

ORDER NO. 21221
DOCKET NO. 890064-TC
PAGE 2

Rule 25-24.515(6), Florida Administrative Code, requires that each pay station with access to any interexchange carrier allow access to all locally available IXCs. SSI has requested a waiver of this rule in order to minimize the risk of fraud and abuse in the design of the service. Presently, inmates use phones with disabled key pads or phones that operate as ringdown circuits with no key pad. The LECs have traditionally provided this service, which allows operator assisted, collect station to station, or person to person calls only. The phones are incapable of completing coin sent paid calls and receiving incoming calls. Similarly, as security precautions, it is impossible to dial feature group access numbers on these instruments and there are no provisions for access to a desired IXC. Where the LECs have provided the service, access is provided to the LEC for intraLATA calls and to AT&T Communications for the Southern States (ATT-C) for interLATA calls.

SSI states that in order to provide the type of restricted service demanded by the Department of Corrections, it must provide the same type of service provided by the LECs. This would require a waiver of Rule 25-24.515(6). We agree and hereby grant the requested waiver. This waiver, however, applies only to SSI payphones located in penal institutions.

SSI has proposed to charge the ATT-C time-of-day rates plus the equivalent ATT-C operator service charges for interexchange calls. Because the inmates will be unable to access IXCs of choice, we find that it is in the public interest to restrict SSI's rates to a level below normal PATS rates (up to one dollar (\$1.00) over the ATT-C time-of-day rate). We find therefore, that SSI may charge no more than the ATT-C DDD time-of-day rates plus operator charges for interexchange calls placed from stations located in penal institutions.

In consideration of the above, it is

ORDERED by the Florida Public Service Commission that the application by SouthernNet Services, Inc. for authority to operate as a pay telephone provider is hereby granted. It is further

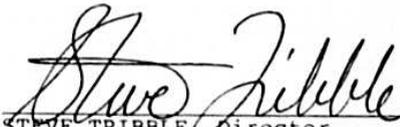
ORDERED that Rule 25-24.515(6), Florida Administrative Code, be waived for all pay stations placed by SSI in penal institutions pursuant to the authority granted herein. It is further

ORDERED that SSI may charge no more than the ATT-C DDD time-of-day rates plus operator charges for interexchange calls placed from stations located in penal institutions. It is further

ORDERED that this Order will become final and the authority granted herein will become effective on June 1, 1989 if no protest is filed within the time frame provided herein.

ORDER NO. 21221
DOCKET NO. 890064-TC
PAGE 3

By Order of the Florida Public Service Commission
this 11th day of MAY, 1989.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ELJ

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 herein 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 at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on May 31, 1989. In the absence of such a petition, this order shall become effective June 1, 1989, as provided by Rule 25-22.029(6), Florida Administrative Code, and as reflected in a subsequent order.

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 and effective on June 1, 1989, 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 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.