

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: PROPOSED TARIFF FILING BY	)	DOCKET NO. 891165-TL
SOUTHERN BELL TELEPHONE AND TELEGRAPH TO	)	ORDER NO. 22349
MODIFY THE BILLING AND COLLECTION	)	ISSUED: 12-28-89
SERVICES OF THE FLORIDA ACCESS SERVICE	)	
TARIFF TO ALLOW CLEARING HOUSE AGENTS	)	
REPRESENTING IXCS TO SUBSCRIBE TO THE	)	
SERVICES	)	

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman  
 THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 JOHN T. HERNDON

FINAL ORDER APPROVING TARIFF FILING

BY THE COMMISSION:

On September 15, 1989, Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) filed proposed revisions to its Access Services Tariff to allow clearinghouse agents representing interexchange carriers (IXCs) to subscribe to billing and collection service. We suspended this tariff on November 7, 1989, in order to further investigate this filing. Under the proposed tariff, clearinghouses, acting as agents for IXCs, must comply with the same requirements, except certification, that apply to IXCs under the Florida Access Services Tariff. This tariff relates to Alternative Operator Services (AOS), since billing by clearinghouses in their own names, as opposed to the names of the IXCs, puts the clearinghouses in the category of IXC/AOS providers in the eyes of this Commission.

In general, a clearinghouse acts as a middle-man between two parties on behalf of a third party. In this instance, the clearinghouse is the middle-man between Southern Bell and the IXC. Southern Bell is proposing to offer billing and collection services to clearinghouses who are authorized to act

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as agents for certificated IXCs. In Southern Bell's proposed filing, the clearinghouse will comply with the same requirements that apply to IXCs.

Southern Bell has proposed the following conditions that a clearinghouse must comply with in order to receive billing and collection service:

(1) The clearinghouse must provide Southern Bell the name, address, telephone number and contact person for each IXC for which the clearinghouse bills.

(2) All IXCs represented by the clearinghouse and billed under this tariff must be certificated. Prior to the provision of intrastate billing and collection service, the clearinghouse must provide Southern Bell a copy of the intrastate certification and its agency agreement for each IXC it is providing service.

(3) Each message sent to Southern Bell must be identified by the appropriate carrier identification code (CIC). In addition, the clearinghouse agent must supply its own identifying CIC to Southern Bell for identification purposes.

(4) If the clearinghouse agent discontinues service to an IXC, the agent must inform Southern Bell immediately.

(5) The name of all individual IXCs for which the clearinghouse bills must be printed on the Southern Bell bill.

(6) Clearinghouses subscribing to billing and collection without inquiry service are required to print their telephone number on the bill.

We believe the end user should be able to clearly understand his bill. Southern Bell's requirements set out in paragraphs 1, 5, and 6 above will help to give the customer information about his bill and, therefore, we find these requirements appropriate.

Because this tariff is restricted to certificated IXCs, a hotel would have to become certificated as an IXC prior to receiving this service. If a hotel were certificated to

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provide operator services to transient end users, the AOS rate cap would apply.

This modified tariff will also address the needs of private pay telephone providers (PATS providers). Previously approved nonLEC (non-local exchange company) payphone billing and collection tariffs that will become effective by January 1, 1990, will address only intraLATA calls and will not fully meet the needs of the payphone provider to have his calls billed by a local exchange company. Therefore, Southern Bell has filed this modified tariff to expand its offering to permit nonLEC payphone providers to receive billing and collection service. Included in the modified tariff are three fundamental requirements with which private payphone providers must adhere in order to receive billing and collection service: (1) private payphone providers will be required to bill calls through a clearinghouse (i.e., the clearinghouse can bill the calls, but the private payphone provider cannot get billing directly through the LEC); (2) private payphone providers can bill only interLATA calls; and (3) a time-out sequence to initiate billing for a collect call is prohibited.

As to the first requirement, all private payphone providers will be required to use clearinghouses for billing and collection because of the high volume of private payphone providers. Additionally, some providers are so small that the administrative costs for Southern Bell to process the individual billing would be costly and the influx of inquiry calls would be difficult for the small private payphone providers to handle should they opt to not purchase inquiry.

As to the second requirement, the private payphone provider can only bill for interLATA calling. While Orders Nos. 13912, 14621, and 20610 specifically address only 0+, this restriction applies to all intraLATA calling, whether it be 1+ or 0+. Therefore, we believe this proposed requirement is consistent with the intent of those Orders.

We are concerned with the time-out sequence aspect of privately-owned payphones because this may generate customer complaints over billing. Southern Bell is also concerned and has, therefore, included a prohibition against this in its tariff filing. According to Southern Bell, the time-out sequence operates when a customer making a collect call talks to a machine offering automated "operator" services, sometimes

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called "AOS in a box," which relays the call. The call recipient is directed to dial a digit (i.e., dial "1") to accept a collect call or hang up to deny acceptance of the call. However, if the recipient waits on line for five seconds without responding either way, the call is placed and the recipient is billed. These arrangements can bill calls without the recipient's knowledge. For example, calls terminating on a line which has an answering machine or a data set may have the call billed without the customer's knowledge or consent. We have serious concerns regarding this. In addition, in testimony filed in a proceeding before the North Carolina Utilities Commission, in Docket No. P-100, Sub Part 84 (page 8, lines 14-20), Southern Bell's Witness Camacho stated:

. . . calls originated from confinement facilities with a time-out sequence will allow inmates to call feature group A lines and wait five seconds for the time-out. After the time-out period, the call will be connected and the inmate will receive dial tone, allowing the inmate to make fraudulent calls.

We do not find this time-out feature to be in the public interest and, therefore, we approve Southern Bell's modification to its filing prohibiting it. The Company has expressed concerns that it may have to police the actions of the private payphone providers if they subscribe to its billing and collection service. We do not expect this to be a major problem. It may, indeed, be of assistance in assuring that the end user is treated fairly. Pursuant to our approval of this tariff filing, Southern Bell will have the flexibility to discontinue service to any private payphone provider if he allows time-out sequence or bills for intraLATA 1+, 0+ or any 0- calls.

Based on our consideration of the foregoing, we find Southern Bell's modified tariff filing to allow clearinghouse agents representing IXCs and private payphone providers to subscribe to billing and collection service to be in the public interest and, therefore, we approve it.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Southern Bell Telephone and Telegraph Company's modified tariff

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filing to allow clearinghouse agents representing interexchange carriers and private payphone providers to subscribe to billing and collection service is hereby approved. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission,  
this 28th day of December, 1989.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

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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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or 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 after the issuance 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.