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ORIGINAL
FILE COPY

October 26, 1990

Steve Tribbie, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399-0850

Re: Docket No. 891194-TI

Dear Mr. Tribbie:

Enclosed for filing in the above-captioned proceeding on behalf of the Citizens of the State of Florida are the original and 12 copies of Citizens' Prehearing Statement, Excerpt from the Deposition of C. Dean Kurtz to be filed as our Rebuttal Testimony, and the Rebuttal Testimony of Dr. Mark N. Cooper to be filed in this docket.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Darlene Driscoll
Darlene Driscoll

- ADM _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CRP _____
- DES _____
- DIR _____
- OC _____
- ROJ _____
- SEC _____
- WAS _____
- OLA _____

Enclosure

RECEIVED & FILED

Kurtz
DOCUMENT NUMBER-DATE
09645 OCT 26 1990
FSC-RECORDS/REPORTING

Prehearing Statement
DOCUMENT NUMBER-DATE
09645 OCT 26 1990
FSC-RECORDS/REPORTING

COOPER
DOCUMENT NUMBER-DATE
09647 OCT 26 1990
FSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filings by)
SOUTHERN BELL TELEPHONE AND TELEGRAPH)
COMPANY clarifying when a nonpublished)
number can be disclosed and introducing)
Caller ID to TouchStar Service)

Docket No. 891194-TI
Filed: October 26, 1990

PREHEARING STATEMENT

The Citizens of the State of Florida ("Citizens"), by and through Jack Shreve, Public Counsel, submit this prehearing statement pursuant to the Commission's order on prehearing procedure, order no. 23445 issued September 6, 1990.

All Known Witnesses

The Citizens submitted prefiled direct and rebuttal testimony by Dr. Mark N. Cooper addressing Caller ID and related services. In addition, the Citizens intend to submit a deposition of C. Dean Kurtz, General Regulatory Manager for Centel Telephone Company of Florida, as rebuttal testimony. Mr. Kurtz's deposition addresses issues concerning the availability of per-call blocking free to all customers, as well as the rate structure and price level for Call Trace. At the hearing the Citizens will ask Mr. Kurtz to adopt the deposition as his testimony.

Exhibits

The rebuttal testimony of Dr. Mark N. Cooper contains an attachment. In addition, the deposition C. Dean Kurtz contains an exhibit.

Statement of Basic Position

The Commission should make Caller ID available with free, per-call-blocking available to all customers. In addition, Call Trace should be made available to all customers with usage charges not exceeding \$1 per-call in order to make the service widely available to all customers. This combination of services will greatly enhance customers' call management capabilities, while at the same time it will take into account concerns about Caller I.D. service expressed by a wide range of customers.

While Southern Bell opposes free per-call blocking, their proposal has always included provisions making universal per-call blocking available to customers -- at a fee. Southern Bell encourages the use of calling card calls (charged at 75 cents per call), operator assisted calls (charged at \$1 per call), cellular telephone calls, out-dial only lines, Ringmaster, and pay phones to avoid the transmission of the calling party's number to the called party. Each of these mechanisms, however, provides an additional fee to Southern Bell.

The issue, then, is not whether to offer per-call blocking; the real issue is whether a price will be attached to per-call blocking.

Issues

Issue 1: For the purposes of this docket, what is the definition of Caller ID?

Citizens' Position: Caller ID is a service proposed by Southern Bell that would allow customers to use a display to show the called party's telephone number.

Issue 2: Is Caller ID a trap and trace device as described in Chapter 934, Florida Statutes?

Citizens' Position: The citizens will address this legal issue in our post-hearing brief.

Issue 3: Does Caller ID violate any federal laws or any laws of the State of Florida?

Citizens' Position: The citizens will address this legal issue in our post-hearing brief.

Issue 4: Does Caller ID violate Florida's Constitution?

Citizens' Position: The citizens will address this legal issue in our post-hearing brief.

Issue 5: What are the benefits and detriments to Florida's consumers of Caller ID services?

Citizens' Position: Caller ID is one of a number of services using the new signalling system 7 technology that embodies significant potential to enhance subscribers' call management capabilities. Free number forward blocking (free per-call blocking) will strike the best balance between the potential costs and benefits of this new technology. Free per-call blocking provides a significant benefit to the vast body of subscribers by allowing them to preserve the privacy of their telephone number, while also preserving the functionality and usefulness of the overall signalling system 7 technology.

There is significant concern by the public about unrestricted Caller I.D. For example, a Lou Harris poll shows that when the positive and negative aspects of Caller I.D. are pointed out, less than one quarter say the service should be allowed without restriction. Almost half the respondents say the service should be allowed only if the ability to prevent the forwarding of a telephone number is made available. Over one quarter say the service should simply not be allowed.

Even more important, Caller I.D. service actually threatens the physical safety of a number of groups of people, such as battered spouses and undercover law enforcement personnel.

Issue 5: Are there any existing CLASS services (e.g., Call Trace, Call Return, Call Block, etc.) that have similar functions and/or benefits as Caller ID; if so, what are their detriments? Is their rate structure appropriate?

Citizens' Position: There is considerable overlap in the functionality of the various CLASS services. The overlap is important because it can be used to help the public to manage the use of, or reduce the abuse of, the

telephone network. The availability of universal, free, per-call blocking, along with the offering of Call Trace at a price of no more than \$1 per use, allows the public to achieve greatly enhanced functionalities but without the major cost Caller ID would impose without free per-call blocking.

Issue 7: What effect will Caller ID have on nonpublished and unlisted subscribers?

Citizens' Position: As of January 30, 1990, there were 844,260 nonpublished numbers in Southern Bell's territory (26.38% of 3,200,000 residence lines) and 230,707 unlisted numbers. Combined, there were 1,074,970 customers with either nonpublished or unlisted numbers (33.59% of 3,200,000 residence lines). Many of these customers have an expectation that their number will not be divulged.

Issue 8: What alternatives to Caller ID blocking are available and do they sufficiently protect customers' anonymity?

Citizens' Position: Southern Bell supports universal availability of Caller ID blocking as long as customers pay a fee to Southern Bell. These include the use of calling card calls (charged at 75 cents per call), operator assisted calls (charged at \$1 per call), cellular telephone calls, out-dial only lines, Ringmaster, and pay phones. The issue, then, is not whether per-call blocking should be made universally available, but instead whether customers will have to pay a fee to Southern Bell for per-call blocking. Universal per-call blocking should be made available free to all customers.

ISSUE 9: Should the Commission allow or require the blocking of Caller ID? If so, to whom and under what circumstances?

Citizens' Position: The Commission should allow free per-call blocking to all customers. Per-call blocking should not be available only for a fee.

Issue 10: What special arrangements, if any, should be made regarding Caller ID for law enforcement personnel?

Citizens' Position: The Commission should make free, per-call blocking available to the public at large, as requested by law enforcement personnel.

Issue 11: What special arrangements, if any, should be made regarding Caller ID for any other group or groups?

Citizens' Position: Universal per-call blocking should be made available to the public at large, as requested both by spouse abuse centers and the State of Florida. In addition, Call Trace should be made universally available and charged solely on a usage basis at a rate of no more than \$1 per-call.

ISSUE 12: Is Caller ID in the public interest?

Citizens' Position: Yes, but only if offered with universal, free per-call blocking available to all customers.

ISSUE 13: What further action should be taken on Southern Bell's tariff filings introducing Caller ID (T-89-507) and changing the conditions under which nonpublished number information will be

divulged (T-90-023)? What should be the effective date of such action?

Citizens' Position: The Commission should offer free per-call blocking to all customers and make Call Trace available on a usage basis at a rate of no more than \$1 per call. In addition, the Commission should allow sufficient time before making Caller ID available in order to allow law enforcement personnel and other agencies to take reasonable steps to prepare for the introduction of Caller ID.

Stipulations

The Citizens have not stipulated to any issues with any parties.

Pending Motions

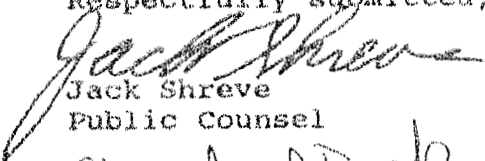
The Commission has not yet taken action on the Citizens' motion to compel and request for in camera inspection of documents filed August 7, 1990, or the Citizens' motion to consolidate consideration of Caller ID tariff filings and to conduct generic proceedings filed on September 24, 1990. In addition, the Citizens' petition to require the offering of Call Trace service to all customers at reasonable, usage based rates filed September 21, 1990 is pending.

Other Matters

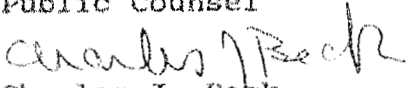
The Citizens seek to use as prefiled rebuttal testimony pages five through seven and exhibit number one of a deposition of C. Dean Kurtz, General Regulatory Manager of Central Telephone Company of Florida, taken October 24, 1990. The Citizens also seek to call Mr. Kurtz to the stand as a rebuttal witness during the hearing. The Citizens would have no objection to other parties using other portions of the deposition, or the entire deposition, if they want to. However, the Citizens will only seek to use the examination by counsel for the Citizens and one exhibit as prefiled rebuttal testimony.

The Citizens have met the requirements set forth in the Commission's order on prehearing procedure, order no. 23445 issued September 6, 1990.

Respectfully submitted,


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Attorneys for the Citizens
of the State of Florida

CERTIFICATE OF SERVICE
Docket No. 891194-TI

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following parties this 26th day of October, 1990.

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