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October 26, 1990

Steve Tribble, Director  
Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street

ACK \_\_\_\_\_ Tallahassee, FL 32399-0850

CPA \_\_\_\_\_ Re: ~~Docket No.~~ 891194-TI

Dear Mr. Tribble:

Enclosed are the original and 12 copies of the Florida Coalition Against Domestic Violence's Prehearing Statement to be filed in the above-captioned proceeding. As requested by Ms. Phoenix, I am submitting her Prehearing Statement to you.

Please indicate receipt and return enclosed copy.

Sincerely,

*Charles J. Beck*

Charles J. Beck  
Assistant Public Counsel

CJB/dd  
Enclosure  
cc: All parties of record

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DOCUMENT NUMBER-DATE

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FPSO-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 Florida Coalition Against Domestic Violence ("FCADV"), by and through Cheryl Phoenix, Director, submit this prehearing statement pursuant to Commission order no. 23445 issued September 6, 1990.

Witnesses

Joyce M. Brown, Cheryl R. Phoenix, and A. Rebecca Dunn will testify for the Florida Coalition Against Domestic Violence and will address whether Southern Bell should be allowed to introduce Caller ID as proposed.

Exhibits

There are no exhibits attached to the testimony for FCADV.

### Basic Position

Southern Bell has introduced a new TouchStar System, Caller ID, with added possible features of Per-Line and Per-Call Blocking. All current written positions from Southern Bell state that Caller ID will be available to anyone purchasing the display unit and subscribing to the monthly surcharge. Additionally, Per-Line Blocking will be available to Law Enforcement agencies and Domestic Violence Intervention Agencies. We have, to date, received no written confirmation that any blocking will be available to battered women or shelter employees.

PCADV is strongly opposed to Caller ID because of the lethal danger it will be to victims of domestic violence, workers who attempt to assist them, and their families. Battered women often go into hiding for fear of losing their lives, or the lives of their children and families. If Caller I.D. were approved as proposed, vital information would be given to abusers about the location of a battered woman who has to call her assailant for any of a number of reasons. This added information would allow a desperate abuser to carry out threats of kidnapping, assault or death to her, her children, or her family.

Two options are available to block Caller ID: Per-Line Blocking and Per-Call Blocking. PCADV has concerns with both services, but believes that they must be made available free-of-charge to all customers if Caller ID is approved. By doing less would be setting

up thousands of battered women, shelter workers, and their families for future violence and possible death. The Public Service Commission must take its responsibility extremely seriously in this matter, as the issue has surpassed the lucrative advantages for Southern Bell and other businesses and becomes an issue of emotional and physical survival for thousands of Florida citizens.

FCADV would also like to support the offering of Call Trace on a per-use charge by Southern Bell, as other companies locally and nationally have done. We see that this could not only be a deterrent to the prosecution of harassing phone callers, but also of abusers who are violating court orders by continuing to harass and threaten battered women. If this is not considered in this docket, we will again support such a service at another time.

#### Issues

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

FCADV Position: Caller ID is a new TouchStar System option which allows subscribers to read the telephone number of a calling party through a purchased display unit. This allows the called party to determine who is calling before deciding whether to answer or not.

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

FCADV Position: No position at this time.

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

FCADV Position: No position at this time.

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

FCADV Position: No position at this time.

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

FCADV Position: The benefits of Caller ID for consumers are limited in scope: the called party can see the number from which a caller is calling before deciding whether or not to answer the phone. This benefit can also be accomplished by the consumer purchasing an answering machine. Another benefit for the consumer is knowing the telephone number of callers. This, however, is a detriment to the caller who has lost her/his right to privacy. This information also gives the subscriber power to decide what to do if s/he is receiving annoying or harassing phone calls. This can very clearly be dangerous for angry recipients who choose to retaliate for any perceived slight.

The detriments to Florida's citizens, not just Caller ID consumers, are the loss of privacy and the potentially explosive situations mentioned. Other detriments are the possible loss of privilege that could occur if a business chooses not to service a caller from certain areas, regardless of other factors. Another detriment includes the probable increase in telemarketing calls, which will benefit businesses but not citizens.

The most distressful detriment that is seen by FCADV is the use of the given information by abusive partners, who can then determine where an estranged battered woman is and harass, assault, or kill her or anyone else in that residence. There is also concern for domestic violence workers and other professionals who often return calls from their homes and thus will be exposed to the caller. The potential for danger clearly outweighs the benefits of this system for thousands of Florida citizens.

Issue 6: Are there any existing CLASS services that have similar functions and/or benefits as Caller ID; if so, what are their detriments? Is their rate structure appropriate?

FCADV Position: As stated earlier, the benefit of obtaining information about the caller before answering the phone can also be obtained by the purchase of an answering machine. Call Trace is also an option if one is receiving harassing phone calls, as it registers the number of the caller with the telephone company and consequently law enforcement. The benefit, in FCADV's opinion, is that the called party cannot know the caller's phone number and choose

to retaliate in any way. Call Trace should be made available on a per-use charge, however, to facilitate the immediate use by the recipient of such calls.

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

FCADV Position: Many citizens go to great measures to assure some anonymity in their homes, including battered women and professionals. Caller ID would negate this careful planning since all numbers would be displayed for Caller ID subscribers. People should be able to retain their privacy, and not have to pay even more by placing operator-assisted or calling card calls. Caller ID, if implemented as proposed, is obviously going to be a way for Southern Bell to obtain more fees from all consumers, those wanting Caller ID and those not wanting their numbers known. FCADV does not believe any company has the right to impose such costly restrictions on the citizens of Florida.

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

FCADV Position: FCADV has concerns about Per-Line Blocking and Per-Call Blocking, if offered by Southern Bell. We are still concerned that Per-Line Blocking will block the address from going to a 911 agency if called, as was the case of a rural battered women's shelter which had a fire and received considerable damage because the residents called 911 but did not know the unpublished address to give them. A written determination about this possibility should be obtained from Southern Bell by the Public Service Commission before any decisions can be made.

FCADV is concerned with the blocking option of Per-Call Blocking because of the probability that it may not be used when necessary, as in the case of battered women's children calling their fathers. It would only take one such mistake to negate the delicate planning that a battered woman has done to protect herself and her children from future violence and harm.

The given blocking alternatives to Caller ID are clearly not sufficient to protect customers' anonymity. To date Southern Bell has offered Per-Line Blocking to Law Enforcement and to Domestic Violence Intervention Agencies. We have received nothing in writing which makes provisions for the safety of battered women and their children, or the thousands of professionals who work to protect them. With no blocking available to citizens, Caller ID would put thousands of people at danger, besides losing their basic right to privacy.

FCADV is unable and unwilling to accept the responsibility of deciding who is a battered woman in need of blocking, as was verbally proposed to us. Last year domestic violence hotlines in Florida received over 60,000 calls. Shelter staff are unable to handle such an increased work load of reporting to Southern Bell all callers and the needed information for them to receive blocking. We are aware

that there are also many thousands of victims who never call our hotlines, who would consequently be unable to obtain the needed blocking to retain their freedom and safety they have worked so hard to secure.

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

FCADV Position: If the Public Service Commission allows the offering of Caller ID, universal blocking must also be offered free of charge, to all customers. This is the only option that would secure the safety of battered women and their children, law enforcement, and other professionals who work to protect victims of crime in our state. Once the Public Service Commission has determined the safety of Per-Line Blocking, this and/or Per-Call Blocking must be an option for all customers, without requiring someone to pay to retain their privacy and safety.

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

FCADV Position: See the FCADV position on issue 9.

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

FCADV Position: See the FCADV position on issue 9.

Issue 12: Is Caller ID in the public interest?

FCADV Position: FCADV does not feel that Caller ID is in the public interest. Although it will be convenient to have for some customers in some situations, it is ultimately going to benefit phone companies and other businesses. This is a situation in which the detriments of the public having information outweigh the public's right to know that information, for the lives of thousands of people are at stake. Four women are killed every day in this country by their husbands or partners, and we do not need to introduce another device to increase that statistic.

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?

FCADV Position: It is the position of FCADV that the Public Service Commission should deny Southern Bell's request to introduce Caller ID because of the safety considerations involved. The safety factors will be lessened to acceptable levels with the following amendments to the filings:

1. Universal Blocking be available free of charge to all telephone customers.
2. Call Trace be made available to all customers on a per-use charge instead of the presubscribed monthly charge.
3. Southern Bell conduct an accurate education campaign about all services available and the possible effects of each option.

Other Matters

FCADV has not stipulated any additional issues, has no pending motions or other matters that we seek action upon, and believe we have met the requirements set forth in Commission order no. 23445 issued September 5, 1990.

Respectfully Submitted,

*Cheryl R. Phoenix*  
Cheryl R. Phoenix, Director

FLORIDA COALITION AGAINST  
DOMESTIC VIOLENCE

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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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