

STATE OF FLORIDA



RONALD W THOMAS
EXECUTIVE DIRECTOR

DEPARTMENT OF GENERAL SERVICES
KOGER EXECUTIVE CENTER
2737 CENTERVIEW DRIVE
KNIGHT BUILDING - SUITE 110
TALLAHASSEE, FLORIDA 32399-0950

BOB MARTINEZ
GOVERNOR
JIM SMITH
SECRETARY OF STATE
ROBERT A. BUTTERWORTH
ATTORNEY GENERAL
GERALD LEWIS
STATE COMPTROLLER
TOM GALLAGHER
TREASURER
DOYLE CONNER
COMMISSIONER OF AGRICULTURE
BETTY CASTOR
COMMISSIONER OF EDUCATION
PLEASE ADDRESS REPLY TO:

October 26, 1990

Suite 309

ORIGINAL
FILE COPY

Mr. Steve Tribble
Director
Division of Records
and Reporting
Public Service Commission
101 E. Gaines Street
Fletcher Building, Room 107
Tallahassee, FL 32301

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-TL

Dear Mr. Tribble:

Please find enclosed the original and 15 copies of the Department
of General Services' Prehearing Statement and accompanying
Certificate of Service for filing. Also please find enclosed for
filing the original and 15 copies of the Rebuttal Testimony of
Glenn W. Mayne.

If I may be of further assistance, please do not hesitate to
contact me.

Sincerely,

Stephen S. Mathues
Staff Attorney

- ACK
- AFA
- ADM
- CAL
- CARD
- CTR
- EAG
- LEG
- LIB
- OP
- PLN
- PRO
- REG
- SEC
- TRA
- UTL

SSM:ml

Enclosures

cc: all parties of record

DIVISIONS
ADMINISTRATIVE • BOND FINANCE • BUILDING CONSTRUCTION • COMMUNICATIONS • FACILITIES MANAGEMENT
INFORMATION SERVICES • MOTOR FUEL • PURCHASING • SAFETY & CRIME PREVENTION • SURPLUS PROPERTY

DELIVERING GOVERNMENTAL SERVICES

DOCUMENT NUMBER - DATE
05670 OCT 26 1990

Prehearing Statement
DOCUMENT NUMBER - DATE
05670 OCT 26 1990

PSC-RECORDS/REPORTING

PSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filings by) DOCKET NO. 891194-TL
SOUTHERN BELL TELEPHONE AND TELEGRAPH) FILED: 10/26/90
COMPANY clarifying when a nonpublished)
number can be disclosed and introducing)
Caller ID to TouchStar Service)

DEPARTMENT OF GENERAL SERVICES'
PREHEARING STATEMENT

In compliance with the Commission's Order on Prehearing Procedure, No. 23445, issued 9/6/90, by and through the undersigned attorney, the Department of General Services files this Prehearing Statement, and states:

(a) all known witnesses who may be called and the subject matter of their testimony are: Glenn W. Mayne, Director, Division of Communications, will testify concerning the effect of the implementation of Caller ID and calling number blocking on: users of the SUNCOM Network; 911 and E911; and the users of the Statewide 800 MHz Trunked Radio System for State Agency Law Enforcement.

(b) all known exhibits, contents and sponsoring witness: a document entitled "Joint Task Force on State Agency Law Enforcement Radio Communication, Statement on Caller ID" appended to the prefiled rebuttal testimony of Glenn W. Mayne as Exhibit 1. This statement gives the endorsement of the Joint Task Force Board of Directors to the position given by Mr. Mayne on page 3, lines 11-18, of his prefiled direct testimony.

(c) it is the basic position of the Department of General Services that Caller ID is a beneficial feature, if per-call and per-line blocking are available on a universal basis. It is necessary for state agencies and their employees to have the ability to block the display of the telephone number from which they are calling.

(d) statements of each question of fact which the Department of General Services considers at issue are addressed in Appendix A and will be addressed by Glenn W. Mayne.

(e) statements of each question of law which the Department of General Services considers at issue are addressed in Appendix A.

(f) statements of each policy question which the party considers at issue and the witness who will address the issue: Glenn W. Mayne will address (1) whether implementation of Caller ID without universal per-call and per-line calling number blocking also being available at no cost is in the best interest of: users

DOCUMENT NUMBER-DATE

09669 OCT 26 1990

PSC-RECORDS/REPORTING

of the SUNCOM Network and the users of the Statewide 800 MHz Trunked Radio System and (2) whether it is in the best interest of the foregoing groups to permit non-uniform implementation of Caller ID and various calling number masking systems throughout the State.

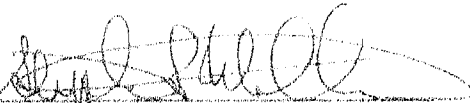
(g) it is the position of the Department of General Services on the issues identified in paragraphs (d), (e) and (f) that Caller ID, if it is determined not to constitute an illegal trap and trace device or an unconstitutional invasion of privacy, should not be allowed without universal per-call and per-line calling number blocking also being available at no cost provided uniformly throughout the State, as Mr. Mayne will testify.

(h) there are no issues stipulated by the parties at this time.

(i) the only known pending motion upon which the Department of General Services seeks action is the Public Counsel's Motion To Consolidate Consideration of Caller ID Tariff Filings and to Conduct Generic Hearing, which motion should be granted.

(j) at this time, the undersigned is unaware of any requirements of the Commission's Order on Prehearing Procedure with which the Department of General Services cannot comply.

Respectfully submitted,



Stephen S. Mathues
Staff Attorney
Department of General Services
Office of General Counsel
Knight Building, Suite 309
Koger Executive Center
2737 Centerview Drive
Tallahassee, Florida 32399-0950
(904) 487-1082

APPENDIX "A"
LIST OF ISSUES

1. (Informational) For the purposes of this docket, what is the definition of Caller ID? Caller ID is the display of the calling party's telephone number to the called party prior to the called party answering the telephone. This is how the feature currently offered by Southern Bell is defined, but this docket should consider the planned expansion of the caller ID displayed information to include additional calling party related information.
2. [LEGAL] Is Caller ID a trap and trace device as described in Chapter 934, Florida Statutes? The Department of General Services takes no position on this issue at this time, but reserves the right to do so at a later time.
3. [LEGAL] Does Caller ID violate any federal laws or any laws of the State of Florida? The Department of General Services takes no position on this issue at this time, but reserves the right to do so at a later time.
4. [LEGAL] Does Caller ID violate Florida's Constitution? The Department of General Services takes no position on this issue at this time, but reserves the right to do so at a later time.
5. What are the benefits and detriments to Florida's consumers of Caller ID services? The benefits to Florida consumers are vast ranging from receiving a courteous friendly voice when calling to accessing a user-driven inquiries system. The detriments are more defined and focused to the harm caused by the forced display of the calling numbers of state agencies when anonymity is needed for the performance of the state agencies' duties.
6. 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? Call Trace has the similar, if not greater, benefit for identifying harassing and obscene callers but does not have the detriment of Caller ID of putting a law enforcement situation into the hands of the untrained public. Call Trace should be priced on the use of the feature when needed, not acquired after the need and on a recurring basis. Call Return is not similar in function or benefit to Caller ID, but shares the same detriment to state agencies as Caller ID. Call Return will not display the number but could be used to identify the calling party upon activation and the resulting interaction with the answering

individual. Call Return should be blocked on calls returned when the call was made initially with Caller ID blocking.

7. What effect will Caller ID have on nonpublished and unlisted subscribers? Caller ID would dilute the benefit of purchasing non-published and unlisted telephone numbers. These numbers would be displayed to everyone if blocking is not allowed, which would circumvent the subscribers' financial decision to restrict distribution of their telephone numbers.
8. What alternatives to Caller ID blocking are available and do they sufficiently protect customers' anonymity? Some of the alternatives mentioned are calling from a pay phone, operator assisted calling, cellular phones or subscribing to outward only services. These alternatives for the present time may protect the customer, but may be extremely inconvenient for the customer as well.
9. [AMENDED] Should the Commission allow or require the blocking of Caller ID? If so, to whom and under what rates, terms, and conditions? In the event that issues 2, 3, and 4 are answered in the negative, it is the position of the Department of General Services that the Commission should require universal per-call and per-line calling number blocking at no cost uniformly throughout the State.
10. [AMENDED] What special arrangements, if any, should be made regarding Caller ID for law enforcement operations and personnel? It is the position of the Department of General Services that with universal statewide per-call and per-line calling number blocking being available at no cost, no special arrangements need be made for state law enforcement operations and personnel.
11. What special arrangements, if any, should be made regarding Caller ID for any other group of groups? It is the position of the Department of General Services that with universal per-call and per-line calling number blocking also being available at no cost provided uniformly throughout the State, no special arrangements need be made for any group.
12. Is Caller ID in the public interest? It is the position of the Department of General Services that with universal per-call and per-line calling number blocking also being available at no cost provided uniformly throughout the State, and in the event that issues 2, 3, and 4 are answered in the negative, Caller ID may be in the public interest.
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? In the event that issues 2, 3, and 4 are answered in the negative, it is the position of the Department

of General Services that the Public Counsel's Motion To Consolidate Consideration of Caller ID Tariff Filings and to Conduct Generic Hearing should be granted. Thereafter it should be determined that Caller ID should be implemented only with universal per-call and per-line calling number blocking also being available at no cost provided uniformly throughout the State.

DOCKET NO. 891194-TL
FILED: 10/26/90

DEPARTMENT OF GENERAL SERVICES'
EXHIBIT LIST

Exhibit 1-- Joint Task Force on State Agency Law Enforcement
Radio Communication, Statement on Caller ID

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filings by) DOCKET NO. 891194-TL
SOUTHERN BELL TELEPHONE AND TELEGRAPH) FILED: 10/26/90
COMPANY clarifying when a nonpublished)
number can be disclosed and introducing)
Caller ID to TouchStar Service)
)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the DEPARTMENT OF GENERAL SERVICES' PREHEARING STATEMENT have been furnished to the following parties by U.S. Mail this 26th day of October, 1990:

Southern Bell Telephone and
Telegraph Company
Attn: Marshall M. Criser, III
150 S. Monroe St. #400
Tallahassee, FL 32301

Messer Law Firm
Attn: Bruce Renard
P.O. Box 1876
Tallahassee, FL 32302-1876

A. Aabaco Locksmith
Attn: David Merkatz
P.O. Box 5301
Ft. Lauderdale, FL 33310

Mike Ramage
Florida Department of Law
Enforcement
P.O. Box 1489
Tallahassee, FL 32302

Jeffrey Cohen
Attorney for Florida Medical
Association, Inc.
P.O. Box 2411
Jacksonville, FL 32203

Angela Green
Division of Legal Services
Florida Public Service
Commission
101 East Gaines Street
Tallahassee, FL 32301

Robert A. Butterworth
Attorney General
Department of Legal Affairs
The Capitol
Tallahassee, FL 32399-1050

J. M. Buddy Phillips
Florida Sheriff's Association
P.O. Box 1487
Tallahassee, FL 32302-1487

Willis Booth
Florida Police Chiefs
Association
P.O. Box 14038
Tallahassee, FL 32317-4038

Charlene Carres
American Civil Liberties Union
P.O. Box 1031
Tallahassee, FL 32302

Peter Antonacci
Statewide Prosecutor
PL 01, The Capitol
Tallahassee, FL 32399

Alan Berg
United Telephone Company
P.O. Box 5000
Altamonte Sprgs., FL 32716-5000


Thomas Parker
Associate General Counsel
GTE Florida Incorporated
P.O. Box 110, MC 7
Tampa, FL 33601-0110

Lee Willis
227 South Calhoun Street
P.O. Box 391
Tallahassee, FL 32302

Charles J. Beck
Assistant Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400

Cheryl Phoenix, Director
Florida Coalition Against
Domestic Violence
P.O. Box 532041
Orlando, FL 32853-2041

Dale Cross
Central Telephone Company
P.O. Box 2214
Tallahassee, FL 32316-2214



STEPHEN S. MATHUES
Staff Attorney
Department of General Services
Office of the General Counsel
Koger Executive Center
Knight Building, Suite 109
2737 Centerview Drive
Tallahassee, Florida 32399-0950
(904) 487-1082