

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rules 25-4.076(9)(10),)
 and 25-24.515(13)(14), F.A.C., regarding) ORDER NO 25334
 accessibility of pay telephone paystations) DOCKET NO. 910204-TP
 to the physically handicapped and other) ISSUED: 11/13/91
 pay telephone capabilities.)
)

NOTICE OF RULEMAKING

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to amend Rules 25-4.076(9)(10) and 25-24.515(13)(14), F.A.C., relating to accessibility of pay telephone paystations to the physically handicapped and other pay telephone capabilities.

The attached Notice of Rulemaking will appear in the November 15, 1991 edition of the Florida Administrative Weekly. If requested, a hearing will be held at the following time and place:

9:30 a.m., Friday, January 10, 1992
 Room 122, Fletcher Building
 101 East Gaines Street
 Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rules must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, FL 32399, no later than December 6, 1991.

By Direction of the Florida Public Service Commission, this
 13th day of NOVEMBER, 1991.

 STEVE TRIBBLE, Director
 Division of Records & Reporting

(S E A L)

WEW

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by: Karp Flynn
 Chief, Bureau of Records

DOCUMENT NUMBER-DATE

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FLORIDA PUBLIC SERVICE COMMISSION

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RULE TITLE:

RULE NO.:

Pay Telephone Service Provided by

Local Exchange Companies

25-4.076

PURPOSE AND EFFECT: The purpose of the rule amendment is to specify handicapped-accessibility standards and times for compliance for pay telephone stations. The effect is to assure that pay telephone providers install equipment which allows access to handicapped persons. In addition, the rule amendment will assure that users of pay telephones are able to reach their designated long distance carrier without operator intervention and be able to reach other services such as voice mailbox in the same manner. The effect is to provide a standard of uniform accessibility to these types of services at pay telephone stations. The amendment applies to all pay telephone stations.

SUMMARY: Rule 25-4.076 (9)(a), F.A.C., is amended to specify that all pay telephone stations installed after January 5, 1987 must conform to the handicapped-accessibility standards as set forth in subsections 4.29.2-4.29.4 and 4.29.7-4.298 of the American Standards Specifications for Making Buildings and Facilities Accessible and Usable by Physically Handicapped People, approved February 5, 1986 by the American National Standards Institute, Inc. (ANSI A117.1-1986). These standards were previously incorporated by reference in the rule. In addition, the rule specifies that pay

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telephones installed prior to January 5, 1987 must comply with these standards by January 1, 1995.

Subsection 10(a) of the rule is amended to by January 1, 1992, at least one pay telephone in any group of two or more must conform to the handicapped-accessibility standards. The minimum conformity rate shall be one in ten telephones.

Subsections (10) and (14) of the rules are amended to add the requirement that by July 1, 1992, each pay telephone station must allow a caller to dial the additional digits necessary to reach his long distance carrier of choice without operator intervention and enable the caller to reach other services such as voice mailbox and menu driven answering devices by the same process.

RULEMAKING AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 364.03, F.S.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT OF THIS RULE: Most of the payphone providers expect some costs to meet the handicap requirements in the rule. United Telephone, Southern Bell, and Centel expect some savings as a result of the rule amendment which allows certain payphones located within groups to be non-conforming.

There is no significant direct cost expected from the additional digits requirement, however, some respondents to data requests expressed concern that this requirement could lead to increased fraud and an increase in costs as a result.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE

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SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 9:30 A.M., Friday, January 10, 1992

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.
THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399
THE FULL TEXT OF THE RULE IS:

25-4.076 Pay Telephone Service Provided By Local Exchange Companies.

(1) Each local exchange company shall, where practical, supply at least one coin telephone in each exchange that will be available to the public on a twenty-four (24) hour basis. This coin telephone shall be located in a prominent location in the exchange. Except as provided herein, a telephone company may not be required to provide pay telephone service at locations where the revenues derived therefrom are insufficient to support the required investment unless reasonable public requirements will be served. Pay stations shall be lighted during the hours of darkness when light from other sources is not adequate to read instructions and use the instrument.

(2) Each telephone station shall return any deposited amount if the call is not completed, except messages to a Feature Group A

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access number.

(3) Each telephone station shall have the capability of coin free access to a local exchange company toll operator and the universal emergency telephone number "911" where operable; and coin free or coin return access to local directory assistance, intercept, repair service and calls to the business office of the company.

(4) Each telephone station shall be equipped with a legible sign, card or plate of reasonable permanence which shall identify the following: the telephone number and location address of such station, the name or recognizable logo of the owner and the party responsible for repairs or refunds, free telephone number of responsible party and clear dialing instructions (including notice of the lack of availability of local or toll service). The identification of the location address for local exchange and pay telephone companies shall be coordinated with the appropriate "911" or emergency center where applicable.

(5) Each telephone station which provides access to any long distance company must provide access to all locally available long distance companies regardless of which form of access is available.

(6) Each telephone station must allow incoming calls to be received, with the exception of those located at penal institutions, hospitals and schools, and at locations specifically exempted by the Commission. There shall be no charge for receiving incoming local calls. Where incoming calls are not received,

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intercept shall be provided.

(7) Where there are fewer than three telephones located in a group, a directory for the entire local calling area shall be maintained at each station. Where there are three or more telephones located in a group, a directory for the entire local calling area shall be maintained at every other station. However, where telephone stations are fully enclosed, a directory shall be maintained at each station.

(8) Normal maintenance and coin collection activity shall include a review of the cleanliness of each station and reasonable efforts shall be made to ensure that 95% of all stations are clean and free of obstructions.

(9) Except as provided in paragraphs (9)(a) and (9)(b) below, Each telephone station installed after January 5, 1987 shall conform to subsections 4.29.2 - 4.29.4 and 4.29.7 - 4.29.8 of the American National Standards Specifications for Making Buildings and Facilities Accessible and Usable by Physically Handicapped People, approved February 5, 1986 by the American National Standards Institute, Inc. (ANSI A117.1-1986), which is incorporatead by reference into this rule. Each telephone station installed prior to January 5, 1987 shall conform to the above standards by January 1, 1995.

(a) Effective January 1, 1992, where there are two or more telephone stations located in a group, there shall be a minimum of one telephone per group of ten which conforms to the above

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mentioned standards. The conforming station must be physically located in the group of telephone stations or within a clear line of sight within fifteen (15) feet of the group and free from wheelchair barriers.

(b) Except for locations on floors above or below entry level in buildings not serviced by a ramp or elevator, such stations shall be placed in areas accessible to the physically handicapped.

(10) Effective July 1, 1992, each telephone shall permit end users to input the additional digits necessary to complete calling card calls, using any locally available carrier, without operator intervention, and to utilize features such as voice mail box and menu driven answering devices.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.03, F.S.

History: New 12/1/68, Amended 3/31/76, formerly 25-4.76, Amended 1/5/87, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Alan Taylor, Division of Communications

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULE:
Florida Public Service Commission

DATE PROPOSED RULE APPROVED: October 15, 1991

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence

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forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 910204-TP

RULE TITLE:

RULE NO.:

Pay Telephone Service

25-24.515

PURPOSE AND EFFECT: The purpose of the rule amendment is to specify handicapped-accessibility standards and times for compliance for pay telephone stations. The effect is to assure that pay telephone providers install equipment which allows access to handicapped persons. In addition, the rule amendment will assure that users of pay telephones are able to reach their designated long distance carrier without operator intervention and be able to reach other services such as voice mailbox in the same manner. The effect is to provide a standard of uniform accessibility to these types of services at pay telephone stations. The amendment applies to all pay telephone stations.

SUMMARY: Rule 25-24.515(13), F.A.C., is amended to specify that all pay telephone stations installed after January 5, 1987 must conform to the handicapped-accessibility standards as set forth in subsections 4.29.2-4.29.4 and 4.29.7-4.29.8 of the American Standards Specifications for Making Buildings and Facilities Accessible and Usable by Physically Handicapped People, approved February 5, 1986 by the American National Standards Institute, Inc. (ANSI A117.1-1986). These standards were previously incorporated by reference in the rule. In addition, the rule specifies that pay telephones installed prior to January 5, 1987 must comply with

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these standards by January 1, 1995.

Subsection 13(a) of the rule is amended to require that by January 1, 1992, at least one pay telephone in any group of two or more must conform to the handicapped-accessibility standards. The minimum conformity rate shall be one in ten telephones.

Subsection (14) of the rule is amended to add the requirement that by July 1, 1992, each pay telephone station must allow a caller to dial the additional digits necessary to reach his long distance carrier of choice without operator intervention and enable the caller to reach other services such as voice mailbox and menu driven answering devices by the same process. RULEMAKING AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 364.03, 364.035, 364.063, 364.337, 364.345, F.S.
SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT OF THIS RULE: Most of the payphone providers expect some costs to meet the handicap requirements in the rule. United Telephone, Southern Bell, and Centel expect some savings as a result of the rule amendment which allows certain payphones located within groups to be non-conforming.

There is no significant direct cost expected from the additional digits requirement, however, some respondents to data requests expressed concern that this requirement could lead to increased fraud and an increase in costs as a result.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21

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DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., Friday, January 10, 1992

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE RULE IS:

25-24.515 Pay Telephone Service.

(1) Pay stations shall be lighted during the hours of darkness when light from other sources is not adequate to read instructions and use the instrument.

(2) Each telephone station shall return any deposited amount if the call is not completed, except messages to a Feature Group A access number.

(3) Each telephone station shall permit access to the universal telephone number "911" where operable, without requiring the use of a coin, paper money or a credit card. Where such number is not operable, the station shall permit access to a local exchange company toll operator under the same conditions.

(4) Each telephone station shall, without charge, permit access to local directory assistance and the telephone number of any person responsible for repairs or refunds but may provide access by coin return. Any long distance directory assistance

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charges applied to the pay telephone service company may be passed on to the customer.

(5) Each telephone station shall be equipped with a legible sign, card or plate of reasonable permanence which shall identify the following: telephone number and location address of such station, name or recognizable logo of the owner and the party responsible for repairs and refunds, address of responsible party, free phone number of responsible party, clear dialing instructions (including notice of the lack of availability of local or toll services), and, where applicable, a statement that the phone is not maintained by the local exchange company.

(6) Each telephone station which provides access to any interexchange company must provide access to all locally available interexchange companies.

(7) Each telephone station must allow incoming calls to be received, with the exception of those located at penal institutions, hospitals and schools, and at locations specifically exempted by the Commission. Where incoming calls are not received, intercept shall be provided. There shall be no charge for receiving incoming local calls.

(8) Each telephone station must be connected as provided in the pay telephone access tariff offered by the local exchange company.

(9) The charge for calls may not exceed the rates shown in the local exchange company Pay Telephone Access Tariff.

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(10) (a) Each pay telephone service company shall make all reasonable efforts to minimize the extent and duration of interruptions of service. Service repair programs should have as their objective the restoration of service on the same day that the interruption is reported to the company. (Sundays and holidays excepted).

(b) Each telephone utility shall conduct its operations in such manner to ensure that, in each exchange, ninety-five (95%) percent of all interruptions in telephone service occurring in any calendar month shall be cleared and service restored within twenty-four (24) hours (Sundays and holidays excepted) after the trouble is reported to the company, except where such interruptions are caused by emergency situations, unavoidable casualties and acts of God affecting large groups of subscribers.

(11) Where there are fewer than three telephones located in a group, a directory for the entire local calling area shall be maintained at each station. Where there are three or more telephones located in a group, a directory for the entire local calling area shall be maintained at every other station. However, where telephone stations are fully enclosed, a directory shall be maintained at each station.

(12) Normal maintenance and coin collection activity shall include a review of the cleanliness of each station and reasonable efforts shall be made to ensure that 95% of all stations are clean and free of obstructions.

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(13) Except as provided in subsections (9)(a) and (9)(b) below, each telephone station installed after January 5, 1987 shall conform to subsections 4.29.2 - 4.29.4 and 4.29.7 - 4.29.8 of the American National Standards Specifications for Making Buildings and Facilities Accessible and Usable by Physically Handicapped People, approved February 5, 1986 by the American National Standards Institute, Inc. (ANSI A117.1-1986), which is incorporated by reference into this rule. Each telephone station installed prior to January 5, 1987 shall conform to the above standards by January 1, 1995.

(a) Effective January 1, 1992, where there are two or more telephone stations located in a group, there shall be a minimum of one telephone per group of ten which conforms to the above mentioned standards. The conforming station must be physically located in the group of telephone stations or within a clear line of sight within fifteen (15) feet of the group and free from wheelchair barriers.

(b) Except for locations on floors above or below entry level in buildings not serviced by a ramp or elevator, such stations shall be placed in areas accessible to the physically handicapped.

(14) Effective July 1, 1992, each telephone shall permit end users to input the additional digits necessary to complete calling card calls, using any locally available carrier, without operator intervention, and to utilize features such as voice mail box and menu driven answering devices.

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Specific Authority: 350.127(2), F. S.

Law Implemented: 364.03, 364.035, 364.063, 364.337, 364.345, F.S.

History: New 1/5/87, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Alan Taylor, Division of
Communications

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULE:
Florida Public Service Commission

DATE PROPOSED RULE APPROVED: October 15, 1991

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.