

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for waiver of) DOCKET NO. 930893-TC
International Call Blocking by) ORDER NO. PSC-93-1806-FOF-TC
TELEPHONE OPERATING SYSTEMS,) ISSUED: December 20, 1993
INC.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER DENYING REQUEST FOR WAIVER
OF INTERNATIONAL CALL BLOCKING

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

By Order No. 24101, issued February 14, 1991, this Commission required local exchange companies (LECs), at the request of the non-LEC pay telephone providers, to file tariff pages for mandatory screening, blocking and intercept services for subscribers of private pay telephone access lines. Among those services mandatorily blocked is international calling.

The purpose of international call blocking is to help protect private pay telephone providers from toll fraud, which can occur when someone accesses a telephone line between the LEC and the pay telephone. When international call blocking is operational, the LEC, upon recognizing 011 dialed after an access code or other dialing pattern, intercepts the call and reports that the call cannot be completed.

On August 20, 1993, Telephone Operating Systems, Inc. (TOPS), the holder of Pay Telephone Certificate No. 2111, requested a waiver of international call blocking for a number of its pay telephones located in Mexican migrant labor camps.

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According to TOPS, most calls from such camps are coin calls. However, as a result of international call blocking, only operator assisted calling card international calls can be completed from non-LEC pay telephones. TOPS argues that, since the LEC pay telephones in the area are able to complete coin calls, mandatory international call limits TOPS' ability to effectively compete with LEC pay telephones in such areas.

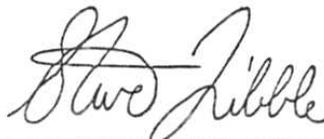
Although we sympathize with TOPS' plight, we note that there is an impending solution to this problem in the form of coin trunks, which will obviate the need for the current mandatory blocking features. Coin trunks are expected to be offered to non-LEC pay telephone providers in early 1994. In the meantime, we believe that TOPS' situation can be alleviated by arranging special assemblies with the affected LECs, and our Staff shall work with TOPS and the LECs to effect such special assemblies. However, we do not believe that it would be appropriate to waive a mandatory tariff requirement. TOPS' request for a waiver of international call blocking is, therefore, denied.

Accordingly, it is

ORDERED by the Florida Public Service Commission that Telephone Operating Systems, Inc.'s request for a waiver of international call blocking is hereby denied. It is further

ORDERED that, unless a person whose interests are substantially affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, this Order shall become final and this docket shall be closed on the following date.

By ORDER of the Florida Public Service Commission, this 20th day of December, 1993.



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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on January 10, 1994.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater 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 of the effective date 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.