

FLORIDA PUBLIC SERVICE COMMISSION
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M E M O R A N D U M

MARCH 20, 1997

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (ISLER; MUSSELWHITE) *Pji BSM*
DIVISION OF LEGAL SERVICES (BROWN) *MB*

RE: DOCKET NO. 960665-TC - INVISION TELECOM, INC. -
DETERMINATION OF APPROPRIATE COMPENSATION TO LOCAL
EXCHANGE COMPANIES FOR LOST REVENUES RESULTING FROM
IMPROPER ROUTING OF 0+ LOCAL AND INTRALATA TRAFFIC FROM
CONFINEMENT FACILITIES

AGENDA: APRIL 1, 1997 - REGULAR AGENDA - INTERESTED PERSONS MAY
PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\960665TC.RCM

CASE BACKGROUND

InVision Telecom, Inc. (InVision or the company) holds pay telephone Certificate No. 4311, effective November 8, 1995. InVision operates approximately 200 pay telephones in various confinement facilities throughout Florida.

On April 1, 1996, InVision petitioned the Commission for waiver of Rules 25-24.515 (7), Florida Administrative Code, Pay Telephone Service, and 25-24.620 (2)(c) and (d), Florida Administrative Code, Service Requirements for operator service providers, and Docket No. 960407-TC was opened.

In its petition, InVision requested a waiver of those rules and policies which currently prohibit it from providing 0+ local and intralata calls from store-and-forward pay telephones located in confinement facilities.

By Order No. PSC-96-1009-FOF-TC, issued August 7, 1996, the Commission granted InVision's petition for waiver of Rules 25-24.515 (7), Florida Administrative Code, and 25-24.620 (2)(c) and (d), Florida Administrative Code; ordered InVision not to charge more than the serving local exchange company (LEC) for 0+ local and

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FPSC-RECORDS/REPORTING

DOCKET NO. 960665-TC
DATE: MARCH 20, 1997

intralata calls; and ordered LECs to bill 0+ local and intralata calls placed from confinement facilities and handled by InVision when billing for such calls is requested through a valid billing and collection agreement. A hearing was requested and is currently scheduled for June 26 and 27, 1997.

While investigating Docket 960407-TC, staff discovered InVision was already handling 0+ local and intralata calls from confinement facilities. Therefore, Docket No. 960665-TC was opened to determine the appropriate compensation to the LECs for lost revenues.

On February 4, 1997, InVision notified staff that a settlement had been reached with each of the LECs involved (Attachment A). Staff asked the company to file their settlements with the LECs for review. The company submitted the settlements to the Commission on March 10, 1997, and requested confidential treatment. Therefore, staff believes the following recommendations are appropriate.

DOCKET NO. 960665-TC
DATE: MARCH 20, 1997

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission accept InVision Telecom, Inc.'s settlement with the serving local exchange companies as compensation for lost revenues resulting from improper routing of 0+ local and intralata calls from confinement facilities?

RECOMMENDATION: Yes.

STAFF ANALYSIS: Rule 25-24.515 (7), Florida Administrative Code, Pay Telephone Service, states:

All intralata calls, including operator service calls, shall be routed to the local exchange company, unless the end user dials the appropriate access code for their carrier of choice, i.e., 950, 800, 10XXX.

Rule 25-24.620 (2)(c) and (d), Florida Administrative Code, Service Requirements, states that in its tariffs, all operator service providers shall:

(c) Route all end-user dialed 1+, 0+, and 0-intralata local and toll calls to the local exchange company unless the end-user dials the appropriate access code for his carrier of choice, i.e., 950, 800, 10XXX.

(d) Route all end-user dialed 0- calls to the local exchange company operator at no charge to the end user when no additional digits are dialed after five seconds.

On April 1, 1996, InVision filed a petition for waiver of the above mentioned rules to provide and bill for 0+ local and intralata calls from Florida confinement facilities. Some of the LECs objected on the ground that they would lose revenues.

Staff asked the LECs to quantify the amount of revenue that would be lost. It was at this point that staff learned that some LECs reported the calls were not being routed to them. Therefore, this docket was opened to determine the appropriate compensation to the LECs for lost revenues.

InVision immediately corrected the problem by routing the calls to the LECs. The company advised staff that there was no intentional violation of Commission rules. In fact, InVision's inmate operations group mistakenly thought that by routing the

DOCKET NO. 960665-TC
DATE: MARCH 20, 1997

calls over LEC facilities, they were in compliance with Commission rules and at the same time preventing breaches in jail security that would result from sending inmate calls to the serving LEC.

Staff's major concerns were to ensure that no end user was harmed by InVision's handling the call instead of the LEC and that Invision comply with Commission rules. Staff has reviewed InVision's settlements with the serving LECs and it appears that InVision is now in compliance with Commission rules and that the settlement agreements have made the serving LECs whole. (Attachment A) Therefore, staff recommends approval of InVision's settlement with the serving local exchange companies.

DOCKET NO. 960665-TC
DATE: MARCH 20, 1997

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. This docket should be closed upon approval of InVision's proposed settlement.

STAFF ANALYSIS: Upon approval of staff's recommendation in Issue 1, this docket should be closed.



February 4, 1997

Copy via Facsimile 904-413-6503
Original via United States Mail

Ms. Paula J. Isler
Regulatory Analyst
Bureau of Service Evaluation
Florida Public Service Commission
2540 Shumard Oak Building
Tallahassee, FL 32399-0850

Re: Docket No. 960665-TC
InVision Telecom, Inc.

Dear Ms. Isler:

This will confirm my conversations with you regarding resolution of the above docket.

As you know, this docket involved the following telephone companies: Alltel, BellSouth, GTE, Northeast Florida, Quincy, Sprint/Centel and St. Joseph. We are pleased to report that a final settlement has been reached with each company. Documentation has been finalized with Sprint/Centel and Northeast Florida, and we are in the process of finalizing documentation with the remaining companies.

Thank you for your continuing assistance and the opportunity to resolve this matter in an amicable manner directly with the companies involved. As always, should you or anyone at the Commission have any questions or need additional data, please feel free to call me at 1-800-652-0774.

Sincerely,

INVISION TELECOM, INC.

Barry E. Selvidge, Vice President,
Regulatory Affairs and General Counsel

cc: Robert E. Bowling, Vice President,
Operations and General Manager, InVision

Norman H. Horton, Jr., Esq.

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