



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

RECEIVED-FPSC

09 JUL 23 AM 11:16

RECORDS AND REPORTING

**DATE:** JULY 23, 1998

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

**FROM:** DIVISION OF COMMUNICATIONS (ISLER) *AP*  
 DIVISION OF LEGAL SERVICES (B. KEATING; K. PEÑA) *MB*  
 DIVISION OF AUDITING AND FINANCIAL ANALYSIS (LESTER) *KMP*

**RE:** DOCKET NO. 971016-TP - REVIEW OF INVISION TELECOM, INC.'S  
 TARIFF TO BLOCK COLLECT CALLS FROM CONFINEMENT FACILITIES.

DOCKET NO. 971430-TI - REQUEST FOR APPROVAL OF TRANSFER OF  
 INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE NO. 3123 FROM  
 INVISION TELECOM, INC. TO TALTON INVISION, INC.

**AGENDA:** 08/04/98 - REGULAR AGENDA - PROPOSED AGENCY ACTION -  
 INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\CMU\WP\971016.RCM

CASE BACKGROUND

InVision Telecom, Inc., holds interexchange telecommunications (IXC) certificate number 3123 and pay telephone certificate number 4133. Staff opened Docket No. 971016-TP on August 7, 1997, to review InVision's tariff due to staff receiving several complaints from consumers who advised that their line was blocked by InVision, preventing collect calls from being completed from specific correctional facilities. Staff filed recommendations on September 7, 1997 and December 4, 1997, however, deferrals were granted by the Commission at the company's request to attempt to resolve staff's concerns.

On October 29, 1997, staff received a request for approval of transfer of InVision's IXC certificate to Talton Invision, Inc.

DOCUMENT NUMBER-DATE

07774 JUL 23 98

FPSC-RECORDS/REPORTING

DOCKET NOS. 971016-P, 971430-TI  
DATE: JULY 23, 1998

The request did not include a tariff or the Certificate Transfer Statement, both of which were eventually received. Staff has had numerous contacts with InVision and Talton representatives. On July 14, 1998, staff received a letter from Talton advising that it had removed the offending language from its tariff and would address the call blocking through its contracts with the individual correctional facilities.

Based on the above, staff recommends the following.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission approve the transfer of interexchange telecommunications certificate number 3123 from InVision Telecom, Inc. to Talton Invision, Inc.?

RECOMMENDATION: Yes. (Isler)

STAFF ANALYSIS: On October 29, 1997, Docket Number 971430-TI was established. InVision requested that its IXC certificate number 3123 be transferred to Talton Invision, Inc. (Talton). The company's application packet failed to include a tariff and the Certificate Transfer Statement. The Certificate Transfer Statement was received on February 4, 1998.

Prior to receiving the company's application for a transfer, on August 7, 1997, staff had opened a docket (number 971016-TP) to review InVision's policy of blocking collect calls from confinement facilities. Since staff had not received Talton's tariff in the transfer of certificate docket and we were reviewing InVision's tariff in the other, staff believed it best to handle both dockets in a single recommendation.

On November 26, 1997, the Division of Auditing and Financial Analysis advised staff that Talton appears to meet the financial capability standard of Section 364.337, Florida Statutes. Since all tariff and transfer issues are resolved, it is staff's recommendation that the Commission should approve the transfer of InVision Telecom, Inc.'s IXC certificate number 3123 to Talton Invision, Inc.

**ISSUE 2:** Should the Commission require InVision Telecom, Inc. to modify its tariff to block incoming calls from confinement facilities?

**RECOMMENDATION:** No. If the Commission approves staff's recommendation in Issue 1, InVision will operate under the Talton tariff. The Talton tariff does not include the incoming call blocking language that originally concerned staff and was the source of numerous complaints. Therefore, there is no need to modify the InVision tariff. (Isler)

**STAFF ANALYSIS:** Staff received several complaints from consumers who advised that their line was blocked, preventing collect calls from being completed from specific correctional facilities. All consumers advised that the line was blocked without notice and without their authorization. In addition, several consumers advised staff that they were customers in good standing with the local exchange company.

In each case, InVision responded that it believed it had no alternative except to block some consumers' lines from accepting collect calls from confinement facilities. Therefore, InVision implemented the following policy. Every called number could accept \$50 of collect calls in a 30-day period. If the charges exceeded \$50 before the 30 days, InVision would block that consumer's line. InVision stated that consumers were notified of this procedure by an automated telephone call, which provided a toll free number for the called party to call InVision for information on how to continue receiving collect calls.

Rule 25-24.471(4)(c), Florida Administrative Code, Application for Certificate, states:

Where only one interexchange carrier is available in a confinement facility, that interexchange carrier shall provide for completion of all inmate calls allowed by the confinement facility.

Since the blocks were applied to subscribers in good standing with the LEC, staff believes InVision's blocking policy was a violation of the rule. As a result of discussions with staff, Talton Invision will address its need to block certain calls with the various inmate facilities and remove its offending tariff. Therefore, it is our recommendation that InVision Telecom, Inc. should not be required to modify its tariff to block incoming calls from confinement facilities.

DOCKET NOS. 971016-TP, 971430-TI  
DATE: JULY 23, 1998

ISSUE 3: Should these dockets be closed?

RECOMMENDATION: Yes. (Keating; K. Peña)

STAFF ANALYSIS: These dockets should be closed if no person, whose interests are substantially affected by the proposed action, files a protest within the 21 day protest period.