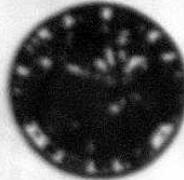


Commissioners  
JULIA L. JOHNSON, CHAIRMAN  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.



DIVISION OF APPEALS  
DAVID E. SMITH  
DIRECTOR  
(850) 413-4243

# Public Service Commission

December 3, 1998

Mr. Carroll Webb  
Joint Administrative Procedures  
Committee  
120 Holland Building  
Tallahassee, Florida 32399

Re: Docket No. 951560-TI-Proposed Repeal of Rule 25-4.076, F.A.C., Pay Telephone Service Provided by Local Exchange Companies, and Proposed Amendments to Rules 25-4.003, F.A.C., Definitions; 25-4.0345, F.A.C., Customer Premises Equipment and Inside Wire; 25-24.475, F.A.C., Company Operations; Rules Incorporated; 25-24.505, F.A.C., Scope; 25-24.511, F.A.C., Application for Certificate; 25-24.515, F.A.C., Pay Telephone Service; 25-24.516, F.A.C., Non-Local Exchange Company Pay Telephone Rate Caps; and 25-24.520, F.A.C., Reporting Requirement

Dear Mr. Webb:

The Commission has approved the repeal of Rule 25-4.076, and adoption of Rules 25-4.003, 25-4.0345, 25-24.475, 25-24.505, and 25-24.520 without changes.

We plan to file the rule for adoption on December 11, 1998.

Sincerely,

*Diana W. Caldwell*

Diana W. Caldwell  
Associate General Counsel

ACK \_\_\_\_\_  
AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG \_\_\_\_\_  
LIR \_\_\_\_\_  
OPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC \_\_\_\_\_  
WAS \_\_\_\_\_  
OTH \_\_\_\_\_

ADT1506.DMC

Enclosure

cc: Division of Records & Reporting

DOCUMENT NUMBER - DATE

10660 DEC-3 98

FPSC-RECORDS/REPORTING

1 25-4.003 Definitions.

2 For the purpose of Chapter 25-4, the following definitions of the  
3 following terms apply:

4 (1) "Access Line" or "Subscriber Line." The circuit or  
5 channel between the demarcation point at the customer's premises  
6 and the serving end or class 5 central office.

7 (2) "Average Busy Season-Busy Hour Traffic." The average  
8 traffic volume for the busy season busy hours.

9 (3) "Busy Hour." The continuous one-hour period of the day  
10 during which the greatest volume of traffic is handled in the  
11 office.

12 (4) "Busy Season." The calendar month or period of the year  
13 (preferably 30 days but not to exceed 60 days) during which the  
14 greatest volume of traffic is handled in the office.

15 (5) "Call." An attempted telephone message.

16 (6) "Central Office." A location where there is an assembly  
17 of equipment that establishes the connections between subscriber  
18 access lines, trunks, switched access circuits, private line  
19 facilities, and special access facilities with the rest of the  
20 telephone network.

21 (7) "Commission." The Florida Public Service Commission.

22 (8) "Company," "Telecommunications Company," "Telephone  
23 Company," or "Utility." These terms may be used interchangeably  
24 herein and shall mean "telecommunications company" as defined in  
25 Section 364.02(12), Florida Statutes.

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~~struck-through~~ type are deletions from existing law.

1       (9) "Completed call." A call which has been switched through  
2 an established path so that two-way conversation or data  
3 transmission is possible.

4       (10) "Disconnect" or "Disconnection." The dissociation or  
5 release of a circuit. In the case of a billable call, the end of  
6 the billable time for the call whether intentionally terminated or  
7 terminated due to a service interruption.

8       (11) "Drop or Service Wire." The connecting link that extends  
9 from the local distribution service terminal to the protector or  
10 telephone network interface device on the customer's premises.

11       (12) "Exchange." The entire telephone plant and facilities  
12 used in providing telephone service to subscribers located in an  
13 exchange area. An exchange may include more than one central  
14 office unit.

15       (13) "Exchange (Service) Area." The territory of a local  
16 exchange company within which local telephone service is furnished  
17 at the exchange rates applicable within that area.

18       (14) "Extended Area Service." A type of telephone service  
19 whereby subscribers of a given exchange or area may complete calls  
20 to, and receive messages from, one or more other exchanges or areas  
21 without toll charges, or complete calls to one or more other  
22 exchanges or areas without toll message charges.

23       (15) "Extension Station." An additional station connected on  
24 the same circuit as the main station and subsidiary thereto.

25       (16) "Foreign Exchange Service." A classification of local

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1 exchange telecommunications company exchange service furnished  
2 under tariff provisions whereby a subscriber may be provided  
3 telephone service from an exchange other than the one from which he  
4 would normally be served.

5 (17) "Intercept Service." A service arrangement provided by  
6 the telecommunications company whereby calls placed to an  
7 unequipped non-working, disconnected, or discontinued telephone  
8 number are intercepted by operator, recorder, or audio response  
9 computer and the calling party informed that the called telephone  
10 number is not in service, has been disconnected, discontinued, or  
11 changed to another number, or that calls are received by another  
12 telephone. This service is also provided in certain central  
13 offices and switching centers to inform the calling party of  
14 conditions such as system blockages, inability of the system to  
15 complete a call as dialed, no such office code, and all circuits  
16 busy.

17 (18) "Interexchange Company." Any telecommunications company,  
18 as defined in Section 364.02(12), Florida Statutes, which provides  
19 telecommunication service between local calling areas as those  
20 areas are described in the approved tariffs of individual local  
21 exchange companies. "Interexchange Company" includes, but is not  
22 limited to, Multiple Location Discount Aggregators (MLDA) as  
23 defined in subsection (32) of these definitions.

24 (19) "Inter-office Call." A telephone call originating in one  
25 central office but terminating in another central office, both of

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1 | which are in the same designated exchange area.

2 |       (20) "Interstate Toll Message." Those toll messages which do  
3 | not originate and terminate within the same state.

4 |       (21) "Intertoll Trunk." A line or circuit between two toll  
5 | offices, two end offices, or between an end office and toll office,  
6 | over which toll calls are passed.

7 |       (22) "Intra-office Call." A telephone call originating and  
8 | terminating within the same central office.

9 |       (23) "Intra-state Toll Message." Those toll messages which  
10 | originate and terminate within the same state.

11 |       (24) "Invalid Number." A number comprised of an unassigned  
12 | area code number or a non-working central office code (NXX).

13 |       (25) "Large LEC." A local exchange telecommunications company  
14 | certificated by the Commission prior to July 1, 1995, that had in  
15 | excess of 100,000 access lines in service on July 1, 1995.

16 |       (26) "Local Access and Transport Area (LATA)" or "Market  
17 | Area." A geographical area, which is loosely based on standard  
18 | metropolitan statistical areas (SMSAs), within which a local  
19 | exchange company (LEC) may transport telecommunication signals.

20 |       (27) "Local Exchange Telecommunications Company (LEC)." Any  
21 | telecommunications company, as defined in Section 364.02(6),  
22 | Florida Statutes.

23 |       (28) "Local Service Area" or "Local Calling Area." The area  
24 | within which telephone service is furnished subscribers under a  
25 | specific schedule of rates and without toll charges. A local

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1 exchange telecommunications company's local service area may  
2 include one or more exchange areas or portions of exchange areas.

3 (29) "Main Station." The principal telephone associated with  
4 each service to which a telephone number is assigned and which is  
5 connected to the central office equipment by an individual or party  
6 line circuit or channel.

7 (30) "Message." A completed telephone call.

8 (31) "Mileage Charge." A tariff charge for circuits and  
9 channels connecting other services that are auxiliary to local  
10 exchange service such as off premises extensions, foreign exchange  
11 and foreign central office services, private line services, and tie  
12 lines.

13 (32) "Multiple Location Discount Aggregator (MLDA)." An  
14 entity that offers discounted long distance telecommunications  
15 services from an underlying interexchange company to unaffiliated  
16 entities. An entity is a MLDA if one or more of the following  
17 criteria applies:

18 (a) It collects fees related to interexchange  
19 telecommunications services directly from subscribers,

20 (b) It bills for interexchange telecommunications services in  
21 its own name,

22 (c) It is responsible for an end user's unpaid interexchange  
23 telecommunications bill, or

24 (d) A customer's bill cannot be determined by applying the  
25 tariff of the underlying interexchange company to the customer's

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1 individual usage.

2 (33) "Normal Working Days." The normal working days for  
3 installation and construction shall be all days except Saturdays,  
4 Sundays, and holidays. The normal working days for repair service  
5 shall be all days except Sundays and holidays. Holidays shall be  
6 the days which are observed by each individual telephone utility.

7 (34) "Optional Calling Plan." An optional service furnished  
8 under tariff provisions which recognizes the need of some  
9 subscribers for extended area calling without imposing the cost on  
10 the entire body of subscribers.

11 (35) "Out of Service." The inability, as reported by the  
12 customer, to complete either incoming or outgoing calls over the  
13 subscriber's line. "Out of Service" shall not include:

14 (a) Service difficulties such as slow dial tone, circuits  
15 busy, or other network or switching capacity shortages;

16 (b) Interruptions caused by a negligent or willful act of the  
17 subscriber; and

18 (c) Situations in which a company suspends or terminates  
19 service because of nonpayment of bills, unlawful or improper use of  
20 facilities or service, or any other reason set forth in approved  
21 tariffs or Commission rules.

22 (36) "Outside Plant." The telephone equipment and facilities  
23 installed on, along, or under streets, alleys, highways, or on  
24 private rights-of-way between the central office and subscribers'  
25 locations or between central offices of the same or different

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1 exchanges.

2 (37) "Pay Telephone Service Company." Any telecommunications  
3 company, ~~other than a Local Exchange Company,~~ which provides pay  
4 telephone service as defined in Section 364.3375, Florida Statutes.

5 (38) "Primary Interexchange Company." The pre-subscribed toll  
6 service provider for a subscriber.

7 (39) "Service Objective." A quality of service which is  
8 desirable to be achieved under normal conditions.

9 (40) "Service Standard." A level of service which a  
10 telecommunications company, under normal conditions, is expected to  
11 meet in its certificated territory as representative of adequate  
12 services.

13 (41) "Small LEC." A local exchange telecommunications company  
14 certificated by the Commission prior to July 1, 1995, which had  
15 fewer than 100,000 access lines in service on July 1, 1995.

16 (42) "Station." A telephone instrument consisting of a  
17 transmitter, receiver, and associated apparatus so connected as to  
18 permit sending or receiving telephone messages.

19 (43) "Subscriber" or "Customer." These terms may be used  
20 interchangeably herein and shall mean any person, firm,  
21 partnership, corporation, municipality, cooperative organization,  
22 or governmental agency supplied with communication service by a  
23 telecommunications company.

24 (44) "Subscriber Line." See "Access Line."

25 (45) "Switching Center." Location at which telephone traffic,

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1 either local or toll, is switched or connected from one circuit or  
2 line to another. A local switching center may be comprised of  
3 several central office units.

4 (46) "Toll Connecting Trunk." A trunk which connects a local  
5 central office with its toll operating office.

6 (47) "Toll Message." A completed telephone call between  
7 stations in different exchanges for which message toll charges are  
8 applicable.

9 (48) "Traffic Study." The process of recording usage  
10 measurements which can be translated into required quantities of  
11 equipment.

12 (49) "Trouble Report." Any oral or written report from a  
13 subscriber or user of telephone service to the telephone company  
14 indicating improper function or defective conditions with respect  
15 to the operation of telephone facilities over which the telephone  
16 company has control.

17 (50) "Trunk." A communication channel between central office  
18 units or entities, or private branch exchanges.

19 (51) "Valid Number." A number for a specific telephone  
20 terminal in an assigned area code and working central office which  
21 is equipped to ring and connect a calling party to such terminal  
22 number.

23 Specific Authority 350.127(2) FS.

24 Law Implemented 364.01, 364.02, 364.32, 364.335, 364.337 FS.

25 History--Revised 12-1-68, Amended 3-31-76, Formerly 25-4.03,

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1 Amended 2-23-87, 3-4-92, 12-21-93, 3-10-96, \_\_\_\_\_.

2  
3  
4 25-4.0345 Customer Premises Equipment and Inside Wire.

5 (1) Definitions: For purposes of this chapter, the definition  
6 to the following terms definitions apply:

7 (a) "Customer Premises Equipment (CPE)" includes terminal  
8 equipment intended for use on the customer's premises such as pay  
9 telephones, telephone sets, teletypewriters, data terminal  
10 equipment, mobile telephone terminal equipment, private branch  
11 exchange equipment, key system equipment, dialers and other  
12 supplemental equipment. CPE does not include "911" public safety  
13 answering point equipment (ALI, ANI, ACD equipment), ~~local exchange~~  
14 ~~company pay telephone stations~~, or telecommunications devices  
15 required by hearing or speech impaired subscribers.

16 (b) "Demarcation point" ~~The to the~~ point of physical  
17 interconnection (connecting block, terminal strip, jack, protector,  
18 optical network interface, or remote isolation device) between the  
19 telephone network and the customer's premises wiring. Unless  
20 otherwise ordered by the Commission for good cause shown, the  
21 location of this point is:

22 1. Single Line/Single Customer Building -- Either at the  
23 point of physical entry to the building or a junction point as  
24 close as practicable to the point of entry.

25 2. Single Line/Multi Customer Building -- Within the

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1 customer's premises at a point easily accessed by the customer.

2 3. Multi Line Systems/Single or Multi Customer Building --  
3 At a point within the same room and within 25 feet of the FCC  
4 registered terminal equipment or cross connect field.

5 4. Temporary Accommodations Subscriber Premises with  
6 Inadequate Grounding (e.g., some mobile homes, trailers,  
7 houseboats, construction modules) -- On a permanent stake, pole, or  
8 structure with a suitable safety ground.

9 (c) "Complex Equipment Wire" ~~The to-the~~ premises wiring  
10 owned by the local exchange company which may be used as station  
11 wiring and to connect off-premises extensions and is beyond the  
12 normal demarcation points.

13 (d) "Inside Wire" ~~All to-all~~ wire or cable other than  
14 complex equipment wire located on the customer's side of the  
15 demarcation point.

16 (e) "Customer Premises" ~~The to-the~~ discrete real property  
17 owned, leased, or controlled by a customer for the customer's own  
18 business or residential purposes.

19 (2) The provision and maintenance of CPE ~~Customer-Premises~~  
20 ~~Equipment-(CPE)~~ and inside wire, but not complex equipment wire, is  
21 deregulated for intrastate purposes.

22 (3) Network facilities up to and including the demarcation  
23 point are part of the telephone network, provided and maintained by  
24 the telecommunications company under tariff.

25 (4) CPE Network Responsibility. No CPE may harm the network

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1 by introducing signals that interfere or affect other subscribers  
2 or network operations.

3 Specific Authority 350.127(2) FS.

4 Law Implemented 364.03 FS.

5 History--New 12-13-82, Amended 9-30-85, Formerly 25-4.345, Amended  
6 4-16-90, 3-10-96, \_\_\_\_\_.

7  
8  
9 25-4.076 Pay Telephone Service Provided By Local Exchange  
10 Companies.

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

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

25 ~~(3) Each telephone station shall have the capability of coin~~

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1 ~~free access to a local exchange company toll operator and the~~  
2 ~~universal emergency telephone number "911" where operable, and coin~~  
3 ~~free or coin return access to local directory assistance,~~  
4 ~~intercept, repair service and calls to the business office of the~~  
5 ~~company.~~

6 ~~— (4) Each telephone station shall be equipped with a legible~~  
7 ~~sign, card or plate of reasonable permanence which shall identify~~  
8 ~~the following: the telephone number and location address of such~~  
9 ~~station, the name of the certificate holder and the party~~  
10 ~~responsible for repairs or refunds, free telephone number of~~  
11 ~~responsible party and clear dialing instructions (including notice~~  
12 ~~of the lack of availability of local or toll service). The~~  
13 ~~identification of the location address for local exchange and pay~~  
14 ~~telephone companies shall be coordinated with the appropriate "911"~~  
15 ~~or emergency center where applicable. For those pay stations that~~  
16 ~~will terminate conversation after fifteen (15) minutes, notice~~  
17 ~~shall be included on the sign card as well as an audible~~  
18 ~~announcement 30 seconds prior to termination of the phone call.~~

19 ~~— (5) Each telephone station which provides access to any long~~  
20 ~~distance carrier shall provide coin free access, except for feature~~  
21 ~~group A access, to all locally available interexchange companies.~~  
22 ~~For pay stations in equal access areas, such access shall be~~  
23 ~~provided through the forms of access purchased by locally available~~  
24 ~~long distance carriers and shall include 10KXX, 0, 950 and 800~~  
25 ~~access. For those pay stations located in non equal access areas,~~

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1 ~~00 shall directly access the AT&T operator. Where 00 is not~~  
2 ~~available, 0 to the LSC operator shall be transferred upon request~~  
3 ~~to an AT&T operator, and the instruction card shall so indicate. No~~  
4 ~~voice solicitation shall be allowed during the interval between the~~  
5 ~~last digit dialed by the end user and connection with the~~  
6 ~~interexchange carrier.~~

7 ~~(c) Each telephone station shall allow incoming calls to be~~  
8 ~~received, with the exception of those located at confinement~~  
9 ~~facilities, hospitals and schools, and at locations specifically~~  
10 ~~exempted by the Commission. There shall be no charge for receiving~~  
11 ~~incoming calls. Requests for an exemption from the requirement that~~  
12 ~~each telephone station allow incoming calls shall be accompanied by~~  
13 ~~a completed FORM PSC/GW 3 (12/94), which is incorporated into this~~  
14 ~~rule by reference. FORM PSC/GW 3 (12/94), entitled Request to~~  
15 ~~Block Incoming Calls, may be obtained from the Commission's~~  
16 ~~Division of Communications. The form requires an attestation from~~  
17 ~~the owner of the pay telephone, the owner of the pay telephone~~  
18 ~~location and the Chief of the responsible law enforcement agency~~  
19 ~~that the request is being sought in order to deter criminal~~  
20 ~~activity facilitated by incoming calls being received at the~~  
21 ~~specified pay telephone. A separate form shall be filed for each~~  
22 ~~telephone number for which an exemption is being sought. Where~~  
23 ~~incoming calls are not received, central office based intercept~~  
24 ~~shall be provided at no charge to the end user and a written notice~~  
25 ~~shall be prominently displayed on the instrument directly above or~~

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1 ~~below the telephone number which states: "Incoming calls blocked at~~  
2 ~~request of law enforcement."~~

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

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

14 ~~(9) Except as provided in paragraphs (9)(a), (9)(b), and~~  
15 ~~(9)(c) below, each telephone station installed after January 5,~~  
16 ~~1987 shall conform to subsections 4.29.2 4.29.4 and 4.29.7~~  
17 ~~4.29.6 of the American National Standards Specifications for Making~~  
18 ~~Buildings and Facilities Accessible and Usable by Physically~~  
19 ~~Handicapped People, approved February 5, 1986 by the American~~  
20 ~~National Standards Institute, Inc. (ANSI A117.1 1986), which is~~  
21 ~~incorporated by reference into this rule. Each telephone station~~  
22 ~~installed prior to January 5, 1987 shall conform to the above~~  
23 ~~standards by January 1, 1995.~~

24 ~~(a) Effective June 1, 1992, where there are two or more~~  
25 ~~telephone stations located in a group, there shall be a minimum of~~

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1 ~~one telephone per group of ten which conforms to the above~~  
2 ~~mentioned standards. The conforming station must be physically~~  
3 ~~located in the group of telephone stations or within a clear line~~  
4 ~~of sight within fifteen (15) feet of the group and free from~~  
5 ~~wheelchair barriers.~~

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

9 ~~(c) Stations located in buildings which are not accessible to~~  
10 ~~physically handicapped persons must comply with the above mentioned~~  
11 ~~standards upon modification of the building to make it~~  
12 ~~handicap accessible, according to the Americans with Disabilities~~  
13 ~~Act.~~

14 ~~(10) Effective September 1, 1992, each telephone shall permit~~  
15 ~~end users to input the additional digits necessary to complete~~  
16 ~~calling card calls, using any locally available carrier, without~~  
17 ~~operator intervention, and to utilize features such as voice mail~~  
18 ~~box and menu driven answering devices. This requirement shall not~~  
19 ~~be applicable to pay telephones located in confinement facilities.~~

20 ~~(11) Pay stations located in confinement facilities shall be~~  
21 ~~exempt from the requirements of above subsections (1), (3), (5),~~  
22 ~~and (7). Such pay stations shall also be exempt from the~~  
23 ~~requirements of subsection (4), except for the audible and written~~  
24 ~~15 minute disconnect notification.~~

25 ~~(12) Tell Fraud Liability.~~

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1 ~~(a) A company providing interexchange telecommunications~~  
2 ~~services or local exchange services shall not collect from a pay~~  
3 ~~telephone provider for charges billed to a line for calls which~~  
4 ~~originated from that line through the use of 10NXX + 0, 10NXX + 01,~~  
5 ~~950 1/0NXX + 0, or 1 800 access code, or when the call originating~~  
6 ~~from that line otherwise reached an operator position, if the~~  
7 ~~originating line is subscribed to outgoing call screening and the~~  
8 ~~call was placed after the effective date of the outgoing call~~  
9 ~~screening order.~~

10 ~~(b) A company providing interexchange telecommunications~~  
11 ~~services or local exchange services shall not collect from a pay~~  
12 ~~telephone provider for charges for collect or third number billed~~  
13 ~~calls, if the line to which the call was billed was subscribed to~~  
14 ~~incoming call screening and the call was placed after the effective~~  
15 ~~date of the incoming call screening order.~~

16 ~~(c) Any calls billed through the local exchange company or~~  
17 ~~directly by an interexchange company, or through a billing agent,~~  
18 ~~which have been identified as not collectible as described in~~  
19 ~~paragraphs (a) and (b) above, must be removed from any pay~~  
20 ~~telephone provider's bill after the pay telephone provider gives~~  
21 ~~notice of the fraudulent charges to the billing party. Such notice~~  
22 ~~shall be provided to the LEC and INC in writing no later than the~~  
23 ~~due date of the bill.~~

24 ~~(d) The LEC is responsible for charges described in paragraph~~  
25 ~~(c) that are associated with the failure of the LEC's screening~~

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1 services.

2 ~~(c) The IEC is responsible for charges described in paragraph~~  
3 ~~(c) that are associated with its failure to properly validate calls~~  
4 ~~via the appropriate local exchange company data base.~~

5 ~~(f) Definitions. For purposes of this rule the term~~

6 ~~1. "Effective Date" shall mean the date after the call~~  
7 ~~screening order was placed and associated charges apply.~~

8 ~~(g) Any charges accrued to a subscriber's line when the~~  
9 ~~subscriber has paid the local exchange company to screen calls~~  
10 ~~described in paragraphs (a) and (b) above shall not be the basis~~  
11 ~~for discontinuance of local or intrastate service.~~

12 ~~(13) Providers serving confinement facilities shall provide~~  
13 ~~for completion of all inmate calls allowed by the confinement~~  
14 ~~facility.~~

15 Specific Authority 350.127(2) FS.

16 Law Implemented 364.03 FS.

17 History--New 12-1-68, Amended 3-31-76, 3-6-78, Formerly 25-4.76,

18 Amended 1-5-87, 4-14-92, 12-21-92, 2-3-93, 10-10-94, 12-27-94.

19 Repealed

20  
21  
22  
23  
24  
25  
  
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struck-through type are deletions from existing law.

1 25-24.475 Company Operations; Rules Incorporated.

2 (1) The following rules are incorporated herein by reference  
3 and apply to Interexchange Companies. In these rules, the word  
4 "local" should be omitted or interpreted as "toll", as they shall  
5 apply only to interexchange and not local service.

6		Portions Not
7	Section Title	Applicable
8	25-4.022 Complaint -- Trouble	<u>All None</u>
9	Reports, etc.	
10	25-4.036 Design and	<u>All None</u>
11	Construction of Plant	
12	25-4.038 Safety	<u>All None</u>
13	25-4.039 Traffic	<u>All None</u>
14	25-4.071 Adequacy of Service	Subsections <del>(1)</del> , <del>(2)</del> ,
15		<del>(3)</del> , <del>(4)</del> , (5), <del>(6)</del>
16	<del>25-4.076 Pay Telephone Service</del>	<del>All Subsections</del>
17	<del>Provided By Local</del>	<del>except (1)</del>
18	<del>Exchange Companies</del>	
19	<u>25-24.515 Pay Telephone Service</u>	<u>Subsection (2)</u>
20	25-4.077 Metering and Recording	<u>All Subsection</u> <del>(5)</del>
21	Equipment	
22	25-4.160 Operation of	<u>Subsection (1) Subsections</u>
23	Telecommunications	<del>(8)</del> , <del>(9)</del>
24	Relay Service	

25 (2) A company may act as an agent of the customer in

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1 obtaining service from the local exchange company, provided the  
2 local exchange company bills the customer directly for the service  
3 rendered.

4 Specific Authority 350.127(2) FS.

5 Law Implemented 364.03, 364.035, 364.17, 364.14, 364.15, 364.16,  
6 364.18, 364.185, 364.30, 364.337, 364.3375, 364.345 FS.

7 History--New 2-23-87, Amended 6-24-90, 9-16-92, 2-3-93, 3-13-96,  
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PART XI

RULES GOVERNING PAY TELEPHONE SERVICE PROVIDED  
~~BY OTHER THAN LOCAL EXCHANGE TELEPHONE COMPANIES~~

25-24.500 Reserved

25-24.505 Scope

25-24.510 Certificate of Public Convenience and Necessity Required

25-24.511 Application for Certificate

25-24.512 Improper Use of a Certificate

25-24.513 Application for Approval of Sale, Assignment or Transfer  
of Certificate (Repealed)

25-24.514 Cancellation of a Certificate

25-24.515 Pay Telephone Service

25-24.516 ~~Non-Local-Exchange-Company~~ Pay Telephone Rate Caps

25-24.520 Reporting Requirements

25-24.505 Scope.

(1) This part applies to any person ~~other than a local~~  
~~Exchange-Company~~ providing pay telephone service. As provided by  
Rules 25-4.002, 25-9.001, and 25-14.001, no provision of Chapters  
25-4, 25-9, or 25-14 shall apply to pay telephone service  
companies, except the following: 25-4.003 (Definitions), 25-4.0161  
(Regulatory Assessment Fees; Telecommunications Companies),  
25-4.019 (Records and Reports In General), 25-4.020(2) (Location  
and Preservation of Records), and 25-4.043 (Response to Commission  
Staff Inquiries).

~~(2) To the extent these rules are inconsistent with~~

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1 ~~provisions of Chapter 364, Florida Statutes, as regards pay~~  
2 ~~telephone service, companies subject to this part are exempted from~~  
3 ~~such provisions or are subject to different requirements than~~  
4 ~~otherwise prescribed for telephone companies under the authority of~~  
5 ~~Section 364.337, Florida Statutes.~~

6 ~~(3) Any applicant may petition for exemption from applicable~~  
7 ~~portions of Chapter 364, Florida Statutes, or for application of~~  
8 ~~different requirements than otherwise prescribed for telephone~~  
9 ~~companies by Chapter 364, Florida Statutes, under the authority of~~  
10 ~~Section 364.337, Florida Statutes.~~

11 Specific Authority 350.127(2) FS.

12 Law Implemented 350.113, 350.115, 350.117, 364.01, 364.016, 364.02,  
13 364.17, 364.18, 364.183, 364.185, 364.32, 364.337, 364.3375 FS.

14 History--New 1-5-87, Amended 11-13-95, \_\_\_\_\_.

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1 **25-24.520 Reporting Requirements.**

2 (1) Each pay telephone service company shall file with the  
3 Commission's Division of Communications updated information for the  
4 following items within ten ~~30~~ days after a change occurs:

5 (a) The street address of the certificate holder including  
6 number, street name, city, state and zip code, and the mailing  
7 address if it differs from the street address.

8 (b) Name, title, and phone number of the individual  
9 responsible for contact with the Commission.

10 ~~(2) Each pay telephone service company shall by January 31 of~~  
11 ~~each year provide a report to the local exchange companies listing~~  
12 ~~the station number and location of all of its pay telephones.~~

13 **Specific Authority 350.127(2) FS.**

14 **Law Implemented 350.115, 350.117, 364.17, 364.18, 364.105, 364.3375**  
15 **FS.**

16 **History--New 1-5-87, Amended 1-2-91, 12-29-91,\_\_\_\_\_.**

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MEMORANDUM

98 DEC 11 PM 2:19

December 10, 1998

RECORDS AND  
REPORTING

TO : DIVISION OF RECORDS & REPORTING

FROM : DIANA W. CALDWELL, ASSOCIATE GENERAL COUNSEL

RE : DOCKET NO. 951560-TI-PROPOSED REPEAL OF RULE 25-4.076, F.A.C., PAY TELEPHONE SERVICE PROVIDED BY LOCAL EXCHANGE COMPANIES, AND PROPOSED AMENDMENTS TO RULES 25-4.003, F.A.C., DEFINITIONS; 25-4.0345, F.A.C., CUSTOMER PREMISES EQUIPMENT AND INSIDE WIRE; 25-24.475, F.A.C., COMPANY OPERATIONS; RULES INCORPORATED; 25-24.505, F.A.C., SCOPE; 25-24.511, F.A.C., APPLICATION FOR CERTIFICATE; 25-24.515, F.A.C., PAY TELEPHONE SERVICE; 25-24.516, F.A.C., NON-LOCAL EXCHANGE COMPANY PAY TELEPHONE RATE CAPS; AND 25-24.520, F.A.C., REPORTING REQUIREMENT

---

Attached is an original and three copies of the certification of Rules 25-4.003, 25-4.0345, and 25-4.076, F.A.C. The Department of State must receive the original and two copies of the certification no later than 5:00 p.m., December 11, 1998. The Certification includes:

(1) An original and two certified copies of Rules 25-4.003, 25-4.0345, and 25-4.076, F.A.C.

- ACK \_\_\_\_\_ (2) A summary of the rules;
- AFA \_\_\_\_\_
- APP \_\_\_\_\_ (3) A summary of the hearing on the rules; and
- CAF \_\_\_\_\_ (4) A written statement of the facts and circumstances
- DMU \_\_\_\_\_ justifying the rules.

CTR \_\_\_\_\_

EAG ATTACHMENTS

- LEG \_\_\_\_\_
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- WAS \_\_\_\_\_
- DFH \_\_\_\_\_

DOCUMENT NUMBER-DATE

000000 DEC 15 98

FPSC-RECORDS/REPORTING

CERTIFICATION OF  
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES  
FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and;

(a) Are filed not more than 90 days after the notice;  
or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending;  
or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of

the final public hearing on the rule; or

✓/ (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

✓/ (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

✓/ (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

✓/ (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

✓/ (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Nos.

25-4.003  
25-4.0345  
25-4.076

Under the provision of subparagraph 120.54(3)(e)6., F.S.,  
the rules take effect 20 days from the date filed with the  
Department of State or a later date as set out below:

Effective: February 1. 1999  
(month) (day) (year)

  
\_\_\_\_\_  
BLANCA S. BAYÓ, Director  
Division of Records & Reporting

\_\_\_\_\_  
Number of Pages Certified

(S E A L)

DWC

1 25-4.003 Definitions.

2 For the purpose of Chapter 25-4, the following definitions of the  
3 following terms apply:

4 (1) "Access Line" or "Subscriber Line." The circuit or  
5 channel between the demarcation point at the customer's premises  
6 and the serving end or class 5 central office.

7 (2) "Average Busy Season-Busy Hour Traffic." The average  
8 traffic volume for the busy season busy hours.

9 (3) "Busy Hour." The continuous one-hour period of the day  
10 during which the greatest volume of traffic is handled in the  
11 office.

12 (4) "Busy Season." The calendar month or period of the year  
13 (preferably 30 days but not to exceed 60 days) during which the  
14 greatest volume of traffic is handled in the office.

15 (5) "Call." An attempted telephone message.

16 (6) "Central Office." A location where there is an assembly  
17 of equipment that establishes the connections between subscriber  
18 access lines, trunks, switched access circuits, private line  
19 facilities, and special access facilities with the rest of the  
20 telephone network.

21 (7) "Commission." The Florida Public Service Commission.

22 (8) "Company," "Telecommunications Company," "Telephone  
23 Company," or "Utility." These terms may be used interchangeably  
24 herein and shall mean "telecommunications company" as defined in  
25 Section 364.02(12), Florida Statutes.

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~~struck-through~~ type are deletions from existing law.

1 (9) "Completed call." A call which has been switched through  
2 an established path so that two-way conversation or data  
3 transmission is possible.

4 (10) "Disconnect" or "Disconnection." The dissociation or  
5 release of a circuit. In the case of a billable call, the end of  
6 the billable time for the call whether intentionally terminated or  
7 terminated due to a service interruption.

8 (11) "Drop or Service Wire." The connecting link that extends  
9 from the local distribution service terminal to the protector or  
10 telephone network interface device on the customer's premises.

11 (12) "Exchange." The entire telephone plant and facilities  
12 used in providing telephone service to subscribers located in an  
13 exchange area. An exchange may include more than one central  
14 office unit.

15 (13) "Exchange (Service) Area." The territory of a local  
16 exchange company within which local telephone service is furnished  
17 at the exchange rates applicable within that area.

18 (14) "Extended Area Service." A type of telephone service  
19 whereby subscribers of a given exchange or area may complete calls  
20 to, and receive messages from, one or more other exchanges or areas  
21 without toll charges, or complete calls to one or more other  
22 exchanges or areas without toll message charges.

23 (15) "Extension Station." An additional station connected on  
24 the same circuit as the main station and subsidiary thereto.

25 (16) "Foreign Exchange Service." A classification of local

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1 exchange telecommunications company exchange service furnished  
2 under tariff provisions whereby a subscriber may be provided  
3 telephone service from an exchange other than the one from which he  
4 would normally be served.

5 (17) "Intercept Service." A service arrangement provided by  
6 the telecommunications company whereby calls placed to an  
7 unequipped non-working, disconnected, or discontinued telephone  
8 number are intercepted by operator, recorder, or audio response  
9 computer and the calling party informed that the called telephone  
10 number is not in service, has been disconnected, discontinued, or  
11 changed to another number, or that calls are received by another  
12 telephone. This service is also provided in certain central  
13 offices and switching centers to inform the calling party of  
14 conditions such as system blockages, inability of the system to  
15 complete a call as dialed, no such office code, and all circuits  
16 busy.

17 (18) "Interexchange Company." Any telecommunications company,  
18 as defined in Section 364.02(12), Florida Statutes, which provides  
19 telecommunication service between local calling areas as those  
20 areas are described in the approved tariffs of individual local  
21 exchange companies. "Interexchange Company" includes, but is not  
22 limited to, Multiple Location Discount Aggregators (MLDA) as  
23 defined in subsection (32) of these definitions.

24 (19) "Inter-office Call." A telephone call originating in one  
25 central office but terminating in another central office, both of

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1 | which are in the same designated exchange area.

2 |       (20) "Interstate Toll Message." Those toll messages which do  
3 | not originate and terminate within the same state.

4 |       (21) "Intertoll Trunk." A line or circuit between two toll  
5 | offices, two end offices, or between an end office and toll office,  
6 | over which toll calls are passed.

7 |       (22) "Intra-office Call." A telephone call originating and  
8 | terminating within the same central office.

9 |       (23) "Intra-state Toll Message." Those toll messages which  
10 | originate and terminate within the same state.

11 |       (24) "Invalid Number." A number comprised of an unassigned  
12 | area code number or a non-working central office code (NXX).

13 |       (25) "Large LEC." A local exchange telecommunications company  
14 | certificated by the Commission prior to July 1, 1995, that had in  
15 | excess of 100,000 access lines in service on July 1, 1995.

16 |       (26) "Local Access and Transport Area (LATA)" or "Market  
17 | Area." A geographical area, which is loosely based on standard  
18 | metropolitan statistical areas (SMSAs), within which a local  
19 | exchange company (LEC) may transport telecommunication signals.

20 |       (27) "Local Exchange Telecommunications Company (LEC)." Any  
21 | telecommunications company, as defined in Section 364.02(6),  
22 | Florida Statutes.

23 |       (28) "Local Service Area" or "Local Calling Area." The area  
24 | within which telephone service is furnished subscribers under a  
25 | specific schedule of rates and without toll charges. A local

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1 exchange telecommunications company's local service area may  
2 include one or more exchange areas or portions of exchange areas.

3 (29) "Main Station." The principal telephone associated with  
4 each service to which a telephone number is assigned and which is  
5 connected to the central office equipment by an individual or party  
6 line circuit or channel.

7 (30) "Message." A completed telephone call.

8 (31) "Mileage Charge." A tariff charge for circuits and  
9 channels connecting other services that are auxiliary to local  
10 exchange service such as off premises extensions, foreign exchange  
11 and foreign central office services, private line services, and tie  
12 lines.

13 (32) "Multiple Location Discount Aggregator (MLDA)." An  
14 entity that offers discounted long distance telecommunications  
15 services from an underlying interexchange company to unaffiliated  
16 entities. An entity is a MLDA if one or more of the following  
17 criteria applies:

18 (a) It collects fees related to interexchange  
19 telecommunications services directly from subscribers,

20 (b) It bills for interexchange telecommunications services in  
21 its own name,

22 (c) It is responsible for an end user's unpaid interexchange  
23 telecommunications bill, or

24 (d) A customer's bill cannot be determined by applying the  
25 tariff of the underlying interexchange company to the customer's

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1 individual usage.

2 (33) "Normal Working Days." The normal working days for  
3 installation and construction shall be all days except Saturdays,  
4 Sundays, and holidays. The normal working days for repair service  
5 shall be all days except Sundays and holidays. Holidays shall be  
6 the days which are observed by each individual telephone utility.

7 (34) "Optional Calling Plan." An optional service furnished  
8 under tariff provisions which recognizes the need of some  
9 subscribers for extended area calling without imposing the cost on  
10 the entire body of subscribers.

11 (35) "Out of Service." The inability, as reported by the  
12 customer, to complete either incoming or outgoing calls over the  
13 subscriber's line. "Out of Service" shall not include:

14 (a) Service difficulties such as slow dial tone, circuits  
15 busy, or other network or switching capacity shortages;

16 (b) Interruptions caused by a negligent or willful act of the  
17 subscriber; and

18 (c) Situations in which a company suspends or terminates  
19 service because of nonpayment of bills, unlawful or improper use of  
20 facilities or service, or any other reason set forth in approved  
21 tariffs or Commission rules.

22 (36) "Outside Plant." The telephone equipment and facilities  
23 installed on, along, or under streets, alleys, highways, or on  
24 private rights-of-way between the central office and subscribers'  
25 locations or between central offices of the same or different

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1 exchanges.

2 (37) "Pay Telephone Service Company." Any telecommunications  
3 company, ~~other than a Local Exchange Company,~~ which provides pay  
4 telephone service as defined in Section 364.3375, Florida Statutes.

5 (38) "Primary Interexchange Company." The pre-subscribed toll  
6 service provider for a subscriber.

7 (39) "Service Objective." A quality of service which is  
8 desirable to be achieved under normal conditions.

9 (40) "Service Standard." A level of service which a  
10 telecommunications company, under normal conditions, is expected to  
11 meet in its certificated territory as representative of adequate  
12 services.

13 (41) "Small LEC." A local exchange telecommunications company  
14 certificated by the Commission prior to July 1, 1995, which had  
15 fewer than 100,000 access lines in service on July 1, 1995.

16 (42) "Station." A telephone instrument consisting of a  
17 transmitter, receiver, and associated apparatus so connected as to  
18 permit sending or receiving telephone messages.

19 (43) "Subscriber" or "Customer." These terms may be used  
20 interchangeably herein and shall mean any person, firm,  
21 partnership, corporation, municipality, cooperative organization,  
22 or governmental agency supplied with communication service by a  
23 telecommunications company.

24 (44) "Subscriber Line." See "Access Line."

25 (45) "Switching Center." Location at which telephone traffic,

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1 either local or toll, is switched or connected from one circuit or  
2 line to another. A local switching center may be comprised of  
3 several central office units.

4 (46) "Toll Connecting Trunk." A trunk which connects a local  
5 central office with its toll operating office.

6 (47) "Toll Message." A completed telephone call between  
7 stations in different exchanges for which message toll charges are  
8 applicable.

9 (48) "Traffic Study." The process of recording usage  
10 measurements which can be translated into required quantities of  
11 equipment.

12 (49) "Trouble Report." Any oral or written report from a  
13 subscriber or user of telephone service to the telephone company  
14 indicating improper function or defective conditions with respect  
15 to the operation of telephone facilities over which the telephone  
16 company has control.

17 (50) "Trunk." A communication channel between central office  
18 units or entities, or private branch exchanges.

19 (51) "Valid Number." A number for a specific telephone  
20 terminal in an assigned area code and working central office which  
21 is equipped to ring and connect a calling party to such terminal  
22 number.

23 PROPOSED EFFECTIVE DATE 02/01/99.

24 Specific Authority 350.127(2) FS.

25 Law Implemented 364.01, 364.02, 364.32, 364.335, 364.337 FS.

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1 History--Revised 12-1-68, Amended 3-31-76, Formerly 25-4.03,  
2 Amended 2-23-87, 3-4-92, 12-21-93, 3-10-96,\_\_\_\_\_.

3 25-4.0345 Customer Premises Equipment and Inside Wire.

4 (1) Definitions: For purposes of this chapter, the definition  
5 to the following terms definitions apply:

6 (a) "Customer Premises Equipment (CPE)," includes terminal  
7 equipment intended for use on the customer's premises such as PAY  
8 telephones, telephone sets, teletypewriters, data terminal  
9 equipment, mobile telephone terminal equipment, private branch  
10 exchange equipment, key system equipment, dialers and other  
11 supplemental equipment. CPE does not include "911" public safety  
12 answering point equipment (ALI, ANI, ACD equipment), ~~local exchange~~  
13 ~~company pay telephone stations~~, or telecommunications devices  
14 required by hearing or speech impaired subscribers.

15 (b) "Demarcation Point," ~~The is~~ the point of physical  
16 interconnection (connecting block, terminal strip, jack, protector,  
17 optical network interface, or remote isolation device) between the  
18 telephone network and the customer's premises wiring. Unless  
19 otherwise ordered by the Commission for good cause shown, the  
20 location of this point is:

21 1. Single Line/Single Customer Building -- Either at the  
22 point of physical entry to the building or a junction point as  
23 close as practicable to the point of entry.

24 2. Single Line/Multi Customer Building -- Within the  
25 customer's premises at a point easily accessed by the customer.

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1           3.    Multi Line Systems/Single or Multi Customer Building --  
2 At a point within the same room and within 25 feet of the FCC  
3 registered terminal equipment or cross connect field.

4           4.    Temporary Accommodations Subscriber Premises with  
5 Inadequate Grounding (e.g., some mobile homes, trailers,  
6 houseboats, construction modules) -- On a permanent stake, pole, or  
7 structure with a suitable safety ground.

8           (c)   "Complex Equipment ~~Wire~~" The to-be premises wiring  
9 owned by the local exchange company which may be used as station  
10 wiring and to connect off-premises extensions and is beyond the  
11 normal demarcation points.

12           (d)   "Inside ~~Wire~~" All to-be wire or cable other than  
13 complex equipment wire located on the customer's side of the  
14 demarcation point.

15           (e)   "Customer Premises" The to-be discrete real property  
16 owned, leased, or controlled by a customer for the customer's own  
17 business or residential purposes.

18           (2)   The provision and maintenance of CPE ~~Customer-Premises~~  
19 ~~Equipment (CPE)~~ and inside wire, but not complex equipment wire, is  
20 deregulated for intrastate purposes.

21           (3)   Network facilities up to and including the demarcation  
22 point are part of the telephone network, provided and maintained by  
23 the telecommunications company under tariff.

24           (4)   CPE Network Responsibility. No CPE may harm the network  
25 by introducing signals that interfere or affect other subscribers

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1 or network operations.

2 PROPOSED EFFECTIVE DATE 02/01/99.

3 Specific Authority 350.127(2) FS.

4 Law Implemented 364.03 FS.

5 History--New 12-13-82, Amended 9-30-85, Formerly 25-4.345, Amended  
6 4-16-90, 3-10-96,\_\_\_\_\_.

7 25-4.076 Pay Telephone Service Provided By Local Exchange  
8 Companies.

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

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

23 ~~\_\_\_\_\_ (3) Each telephone station shall have the capability of coin~~  
24 ~~free access to a local exchange company toll operator and the~~  
25 ~~universal emergency telephone number "911" where operable, and coin~~

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struck-through type are deletions from existing law.

1 ~~free or coin return access to local directory assistance,~~  
2 ~~intercept, repair service and calls to the business office of the~~  
3 ~~company.~~

4 ~~— (4) Each telephone station shall be equipped with a legible~~  
5 ~~sign, card or plate of reasonable permanence which shall identify~~  
6 ~~the following: the telephone number and location address of such~~  
7 ~~station, the name of the certificate holder and the party~~  
8 ~~responsible for repairs or refunds, free telephone number of~~  
9 ~~responsible party and clear dialing instructions (including notice~~  
10 ~~of the lack of availability of local or toll service). The~~  
11 ~~identification of the location address for local exchange and pay~~  
12 ~~telephone companies shall be coordinated with the appropriate "911"~~  
13 ~~or emergency center where applicable. For those pay stations that~~  
14 ~~will terminate conversation after fifteen (15) minutes, notice~~  
15 ~~shall be included on the sign card as well as an audible~~  
16 ~~announcement 30 seconds prior to termination of the phone call.~~

17 ~~— (5) Each telephone station which provides access to pay long~~  
18 ~~distance carrier shall provide coin free access, except for feature~~  
19 ~~group A access, to all locally available interexchange companies.~~  
20 ~~For pay stations in equal access areas, such access shall be~~  
21 ~~provided through the form of access purchased by locally available~~  
22 ~~long distance carriers and shall include 10XXX + 0, 950 and 800~~  
23 ~~access. For those pay stations located in non equal access areas,~~  
24 ~~00 shall directly access the AT&T operator. Where 00 is not~~  
25 ~~available, 0 to the LEC operator shall be transferred upon request~~

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1 ~~to an AT&T operator, and the instruction card shall so indicate. No~~  
2 ~~sales solicitation shall be allowed during the interval between the~~  
3 ~~last digit dialed by the end user and connection with the~~  
4 ~~interexchange carrier.~~

5 ~~(6) Each telephone station shall allow incoming calls to be~~  
6 ~~received, with the exception of those located at confinement~~  
7 ~~facilities, hospitals and schools, and at locations specifically~~  
8 ~~exempted by the Commission. There shall be no charge for receiving~~  
9 ~~incoming calls. Requests for an exemption from the requirement that~~  
10 ~~each telephone station allow incoming calls shall be accompanied by~~  
11 ~~a completed FORM PSC/GSU 3 (12/94), which is incorporated into this~~  
12 ~~rule by reference. FORM PSC/GSU 3 (12/94), entitled Request to~~  
13 ~~Block Incoming Calls, may be obtained from the Commission's~~  
14 ~~Division of Communications. The form requires an attestation from~~  
15 ~~the owner of the pay telephone, the owner of the pay telephone~~  
16 ~~location and the Chief of the responsible law enforcement agency~~  
17 ~~that the request is being sought in order to deter criminal~~  
18 ~~activity facilitated by incoming calls being received at the~~  
19 ~~specified pay telephone. A separate form shall be filed for each~~  
20 ~~telephone number for which an exemption is being sought. Where~~  
21 ~~incoming calls are not received, central office based intercept~~  
22 ~~shall be provided at no charge to the end user and a written notice~~  
23 ~~shall be prominently displayed on the instrument directly above or~~  
24 ~~below the telephone number which states: "Incoming calls blocked at~~  
25 ~~request of law enforcement."~~

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

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

12 ~~(9) Except as provided in paragraphs (9)(a), (9)(b), and~~  
13 ~~(9)(c) below, each telephone station installed after January 5,~~  
14 ~~1987 shall conform to subsections 4.29.2 4.29.4 and 4.29.7~~  
15 ~~4.29.8 of the American National Standards Specifications for Making~~  
16 ~~Buildings and Facilities Accessible and Usable by Physically~~  
17 ~~Handicapped People, approved February 5, 1986 by the American~~  
18 ~~National Standards Institute, Inc. (ANSI A117.1 1986), which is~~  
19 ~~incorporated by reference into this rule. Each telephone station~~  
20 ~~installed prior to January 5, 1987 shall conform to the above~~  
21 ~~standards by January 1, 1995.~~

22 ~~(a) Effective June 1, 1992, where there are two or more~~  
23 ~~telephone stations located in a group, there shall be a minimum of~~  
24 ~~one telephone per group of ten which conforms to the above~~  
25 ~~mentioned standards. The conforming station must be physically~~

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1 ~~located in the group of telephone stations or within a clear line~~  
2 ~~of eight within fifteen (15) feet of the group and free from~~  
3 ~~wheelchair barriers.~~

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

7 ~~— (c) Stations located in buildings which are not accessible to~~  
8 ~~physically handicapped persons must comply with the above mentioned~~  
9 ~~standards upon modification of the building to make it~~  
10 ~~handicap accessible, according to the Americans with Disabilities~~  
11 ~~Act.~~

12 ~~— (10) Effective September 1, 1992, each telephone shall permit~~  
13 ~~end users to input the additional digits necessary to complete~~  
14 ~~calling card calls, using any locally available carrier, without~~  
15 ~~operator intervention, and to utilize features such as voice mail~~  
16 ~~box and menu driven answering devices. This requirement shall not~~  
17 ~~be applicable to pay telephones located in confinement facilities.~~

18 ~~— (11) Pay stations located in confinement facilities shall be~~  
19 ~~exempt from the requirements of above subsections (1), (3), (5),~~  
20 ~~and (7). Such pay stations shall also be exempt from the~~  
21 ~~requirements of subsection (4), except for the audible and written~~  
22 ~~15 minute disconnect notification.~~

23 ~~— (12) Toll Fraud Liability.~~

24 ~~— (a) A company providing interexchange telecommunications~~  
25 ~~services or local exchange services shall not collect from a pay~~

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1 ~~telephone provider for charges billed to a line for calls which~~  
2 ~~originated from that line through the use of 10XXX + 0, 10XXX + 01,~~  
3 ~~950 1/0XXX + 0, or 1 800 access code, or when the call originating~~  
4 ~~from that line otherwise reached an operator position, if the~~  
5 ~~originating line is subscribed to outgoing call screening and the~~  
6 ~~call was placed after the effective date of the outgoing call~~  
7 ~~screening order.~~

8 ~~— (b) A company providing interexchange telecommunications~~  
9 ~~services or local exchange services shall not collect from a pay~~  
10 ~~telephone provider for charges for collect or third number billed~~  
11 ~~calls, if the line to which the call was billed was subscribed to~~  
12 ~~incoming call screening and the call was placed after the effective~~  
13 ~~date of the incoming call screening order.~~

14 ~~— (c) Any calls billed through the local exchange company or~~  
15 ~~directly by an interexchange company, or through a billing agent,~~  
16 ~~which have been identified as not collectible as described in~~  
17 ~~paragraphs (a) and (b) above, must be removed from any pay~~  
18 ~~telephone provider's bill after the pay telephone provider gives~~  
19 ~~notice of the fraudulent charges to the billing party. Such notice~~  
20 ~~shall be provided to the LEC and IXC in writing no later than the~~  
21 ~~due date of the bill.~~

22 ~~— (d) The LEC is responsible for charges described in paragraph~~  
23 ~~(c) that are associated with the failure of the LEC's screening~~  
24 ~~services.~~

25 ~~— (e) The IXC is responsible for charges described in paragraph~~

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1 ~~(c) that are associated with its failure to properly validate calls~~  
2 ~~via the appropriate local exchange company data base.~~

3 ~~(f) Definitions. For purposes of this rule the term~~

4 ~~1. "Effective Date" shall mean the date after the call~~  
5 ~~screening order was placed and associated charges apply.~~

6 ~~(g) Any charges accrued to a subscriber's line when the~~  
7 ~~subscriber has paid the local exchange company to screen calls~~  
8 ~~described in paragraphs (a) and (b) above shall not be the basis~~  
9 ~~for discontinuance of local or intrastate service.~~

10 ~~(13) Providers serving confinement facilities shall provide~~  
11 ~~for completion of all inmate calls allowed by the confinement~~  
12 ~~facility.~~

13 PROPOSED EFFECTIVE DATE 02/01/99.

14 Specific Authority 350.127(2) FS.

15 Law Implemented 364.03 FS.

16 History--New 12-1-68, Amended 3-31-76, 3-6-78, Formerly 25-4.76,

17 Amended 1-5-87, 4-14-92, 12-21-92, 2-3-93, 10-10-94, 12-27-94.

18 Repealed

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12 ~~facility.~~

13 PROPOSED EFFECTIVE DATE 02/01/99.

14 Specific Authority 350.127(2) FS.

15 Law Implemented 364.03 FS.

16 History--New 12-1-68, Amended 3-31-76, 3-6-78, Formerly 25-4.76,

17 Amended 1-5-87, 4-14-92, 12-21-92, 2-3-93, 10-10-94, 12-27-94,

18 Repealed

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Rules 25-4.076, 25-4.003,  
25-4.0345  
Docket No. 951560-TI

**SUMMARY OF RULE**

The proposed rule amendments repeal the separate rule for LECs providing pay telephone services, extend the scope of the other pay telephone rules to include LECs, and require that, "Any person desiring to provide pay telephone services must have a pay telephone certificate." Thus, under the rules all PSPs must follow the same requirements. The proposed amendments implement FCC requirements to bring Florida into compliance with the FCC's orders. These requirements include: defining the LEC's pay telephone equipment as customer premises equipment; allowing the PSPs to charge for directory assistance; allowing the PSPs to charge a market based rate for local coin calls; and discontinuing the set use fee for all O+ and IXC completed O-calls. The proposed amendments include specific rate caps expressed in dollars and cents that pay telephone providers must not exceed for various types of calls. The proposed amendments allow more flexibility to providers for minimum length of calls at confinement facilities, and add conditions for extending incoming call blocking where exempted. In addition, pay telephones will have to meet certain American National Standards Institute (ANSI) requirements, and outgoing local and long distance calls at those facilities cannot be terminated until after a minimum elapsed time of ten minutes.

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FILED  
FEDERAL BUREAU OF INVESTIGATION  
U.S. DEPARTMENT OF JUSTICE  
WASHINGTON, D.C. 20535

### **SUMMARY OF HEARINGS ON THE RULE**

No hearing was requested and none was held.

### **FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE**

On September 20, 1996, the Federal Communications Commission released and adopted a Report and Order detailing the implementation of the Telecommunications Act of 1996. The Order on Reconsideration was adopted and released on November 8, 1996.

The FCC's objective in the Order was to "advance the twin goals of competition among pay phone service providers and promoting the widespread deployment of pay phone services to the benefit of the general public". Paragraph 50 of the Order provides that "the states must conduct its examination of pay phone regulations during this one year period to review and remove, if necessary, those regulations that affect competition".

The proposed amendments/repeals are a combination of staff's fine-tuning of the rules to improve their clarity, detail, performance and consistence with other rules, and staff's interpretation of the Order. Those changes which were not directly ordered by the FCC have been changed under the authority of Section 350.127(2), F.S.

ORIGINAL

MEMORANDUM

December 10, 1998

TO : DIVISION OF RECORDS & REPORTING

FROM : DIANA W. CALDWELL, ASSOCIATE GENERAL COUNSEL

RE : DOCKET NO. 951560-TI-PROPOSED REPEAL OF RULE 25-4.076, F.A.C., PAY TELEPHONE SERVICE PROVIDED BY LOCAL EXCHANGE COMPANIES, AND PROPOSED AMENDMENTS TO RULES 25-4.003, F.A.C., DEFINITIONS; 25-4.0345, F.A.C., CUSTOMER PREMISES EQUIPMENT AND INSIDE WIRE; 25-24.475, F.A.C., COMPANY OPERATIONS; RULES INCORPORATED; 25-24.505, F.A.C., SCOPE; 25-24.511, F.A.C., APPLICATION FOR CERTIFICATE; 25-24.515, F.A.C., PAY TELEPHONE SERVICE; 25-24.516, F.A.C., NON-LOCAL EXCHANGE COMPANY PAY TELEPHONE RATE CAPS; AND 25-24.520, F.A.C., REPORTING REQUIREMENT

Attached is an original and three copies of the certification of Rules 25-24.475, 25-24.505, and 25-24.520. The Department of State must receive the original and two copies of the certification no later than 5:00 p.m., December 11, 1998. The Certification includes:

- (1) An original and two certified copies of Rules 25-24.475, 25-24.505, and 25-24.520, F.A.C.
- (2) A summary of the rules;
- (3) A summary of the hearing on the rules; and
- (4) A written statement of the facts and circumstances justifying the rules.

ACK \_\_\_\_\_  
 AFA \_\_\_\_\_  
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMU \_\_\_\_\_  
 CTR \_\_\_\_\_  
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FPSC-RECORDS/REPORTING

DOCKET NO. 951560-TP

CERTIFICATION OF  
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES  
FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and;

(a) Are filed not more than 90 days after the notice;  
or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending;  
or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of

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the final public hearing on the rule; or

✓ (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

✓ (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

✓ (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

✓ (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

✓ (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Nos.

25-24.475

25-24.505

25-24.520

Under the provision of subparagraph 120.54(3)(e)6., F.S.,  
the rules take effect 20 days from the date filed with the  
Department of State or a later date as set out below:

Effective: February 1. 1999  
(month) (day) (year)

  
\_\_\_\_\_  
BLANCA S. BAYÓ, Director  
Division of Records & Reporting

\_\_\_\_\_  
Number of Pages Certified

(S E A L)

DWC

1 25-24.475 Company Operations; Rules Incorporated.

2 (1) The following rules are incorporated herein by reference  
3 and apply to Interexchange Companies. In these rules, the word  
4 "local" should be omitted or interpreted as "toll", as they shall  
5 apply only to interexchange and not local service.

6		Portions Not	
7	Section	Title	Applicable
8	25-4.022	Complaint -- Trouble	<u>AllNone</u>
9		Reports, etc.	
10	25-4.036	Design and	<u>AllNone</u>
11		Construction of Plant	
12	25-4.038	Safety	<u>AllNone</u>
13	25-4.039	Traffic	<u>AllNone</u>
14	25-4.071	Adequacy of Service	Subsections <del>(1)</del> , <del>(2)</del>
15			<del>(3)</del> , <del>(4)</del> , (5), (6)
16	<del>25-4.076</del>	<del>Pay Telephone Service</del>	<del>All Subsections</del>
17		<del>Provided By Local</del>	<del>except (12)</del>
18		<del>Exchange Companies</del>	
19	<u>25-24.515</u>	<u>Pay Telephone Service</u>	<u>Subsection (20)</u>
20	25-4.077	Metering and Recording	<u>All Subsection (5)</u>
21		Equipment	
22	25-4.160	Operation of	<u>Subsection (1) Subsections</u>
23		Telecommunications	<del>(2)</del> , <del>(3)</del>
24		Relay Service	

25 (2) A company may act as an agent of the customer in

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1 obtaining service from the local exchange company, provided the  
2 local exchange company bills the customer directly for the service  
3 rendered.

4 PROPOSED EFFECTIVE DATE 02/01/99.

5 Specific Authority 350.127(2) FS.

6 Law Implemented 364.03, 364.035, 364.17, 364.14, 364.15, 364.16,  
7 364.18, 364.185, 364.30, 364.337, 364.3375, 364.345 FS.

8 History--New 2-23-87, Amended 6-24-90, 9-16-92, 2-3-93, 3-13-96,  
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PART XI

RULES GOVERNING PAY TELEPHONE SERVICE PROVIDED  
~~BY OTHER THAN LOCAL EXCHANGE TELEPHONE COMPANIES~~

25-24.500 Reserved

25-24.505 Scope

25-24.510 Certificate of Public Convenience and Necessity Required

25-24.511 Application for Certificate

25-24.512 Improper Use of a Certificate

25-24.513 Application for Approval of Sale, Assignment or Transfer  
of Certificate (Repealed)

25-24.514 Cancellation of a Certificate

25-24.515 Pay Telephone Service

25-24.516 ~~Non-Local-Exchange-Company~~ Pay Telephone Rate Caps

25-24.520 Reporting Requirements

25-24.505 Scope.

(1) This part applies to any person ~~other than a local~~  
~~Exchange-Company~~ providing pay telephone service. As provided by  
Rules 25-4.002, 25-9.001, and 25-14.001, no provision of Chapters  
25-4, 25-9, or 25-14 shall apply to pay telephone service  
companies, except the following: 25-4.003 (Definitions), 25-4.0161  
(Regulatory Assessment Fees; Telecommunications Companies),  
25-4.019 (Records and Reports In General), 25-4.020(2) (Location  
and Preservation of Records), and 25-4.043 (Response to Commission  
Staff Inquiries).

~~(2) To the extent these rules are inconsistent with~~

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1 ~~provisions of Chapter 364, Florida Statutes, as regards pay~~  
2 ~~telephone service, companies subject to this part are exempted from~~  
3 ~~such provisions or are subject to different requirements than~~  
4 ~~otherwise prescribed for telephone companies under the authority of~~  
5 ~~Section 364.337, Florida Statutes.~~

6 ~~(3) Any applicant may petition for exemption from applicable~~  
7 ~~portions of Chapter 364, Florida Statutes, or for application of~~  
8 ~~different requirements than otherwise prescribed for telephone~~  
9 ~~companies by Chapter 364, Florida Statutes, under the authority of~~  
10 ~~Section 364.337, Florida Statutes.~~

11 PROPOSED EFFECTIVE DATE 02/01/99.

12 Specific Authority 350.127(2) FS.

13 Law Implemented 350.113, 350.115, 350.117, 364.01, 364.016, 364.02,  
14 364.17, 364.18, 364.183, 364.185, 364.32, 364.337, 364.3375 FS.

15 History--New 1-5-87, Amended 11-13-95, \_\_\_\_\_.

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1 25-24.520 Reporting Requirements.

2 (1) Each pay telephone service company shall file with the  
3 Commission's Division of Communications updated information for the  
4 following items within ten ~~10~~ days after a change occurs:

5 (a) The street address of the certificate holder including  
6 number, street name, city, state and zip code, and the mailing  
7 address if it differs from the street address.

8 (b) Name, title, and phone number of the individual  
9 responsible for contact with the Commission.

10 ~~(c) Each pay telephone service company shall by January 31 of~~  
11 ~~each year provide a report to the local exchange companies listing~~  
12 ~~the station number and location of all of its pay telephones.~~

13 PROPOSED EFFECTIVE DATE 02/01/99.

14 Specific Authority 350.127(2) FS.

15 Law Implemented 350.115, 350.117, 364.17, 364.18, 364.185, 364.3375  
16 FS.

17 History--New 1-5-87, Amended 1-2-91, 12-29-91, \_\_\_\_\_.

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Rules 25-24.475, 25-24.505,  
and 25-24.520  
Docket No. 951560-TI

**SUMMARY OF RULE**

The proposed rule amendments repeal the separate rule for LECs providing pay telephone services, extend the scope of the other pay telephone rules to include LECs, and require that, "Any person desiring to provide pay telephone services must have a pay telephone certificate." Thus, under the rules all PSPs must follow the same requirements. The proposed amendments implement FCC requirements to bring Florida into compliance with the FCC's orders. These requirements include: defining the LEC's pay telephone equipment as customer premises equipment; allowing the PSPs to charge for directory assistance; allowing the PSPs to charge a market based rate for local coin calls; and discontinuing the set use fee for all O+ and IXC completed O-calls. The proposed amendments include specific rate caps expressed in dollars and cents that pay telephone providers must not exceed for various types of calls. The proposed amendments allow more flexibility to providers for minimum length of calls at confinement facilities, and add conditions for extending incoming call blocking where exempted. In addition, pay telephones will have to meet certain American National Standards Institute (ANSI) requirements, and outgoing local and long distance calls at those facilities cannot be terminated until after a minimum elapsed time of ten minutes.

FILED  
APR 26 1995  
COMMUNICATIONS SECTION

## SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and none was held.

## FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

On September 20, 1996, the Federal Communications Commission released and adopted a Report and Order detailing the implementation of the Telecommunications Act of 1996. The Order on Reconsideration was adopted and released on November 8, 1996.

The FCC's objective in the Order was to "advance the twin goals of competition among pay phone service providers and promoting the widespread deployment of pay phone services to the benefit of the general public". Paragraph 50 of the Order provides that "the states must conduct its examination of pay phone regulations during this one year period to review and remove, if necessary, those regulations that affect competition".

The proposed amendments/repeals are a combination of staff's fine-tuning of the rules to improve their clarity, detail, performance and consistence with other rules, and staff's interpretation of the Order. Those changes which were not directly ordered by the FCC have been changed under the authority of Section 350.127(2), F.S.

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FEDERAL COMMUNICATIONS COMMISSION