



Public Service Commission

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

DATE: February 4, 2000
TO: Division of Records and Reporting
FROM: Mary Anne Helton, Associate General Counsel *ma*
RE: Docket No. 991930-TP

Attached is the agenda, rule draft, and sign-up sheet for the February 3, 2000, rule development workshop held in the above-referenced docket that should be placed in the docket file.

cc: Ray Kennedy

- AFA _____
- APP _____
- CAF _____
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FPSC-RECORDS/REPORTING

<u>Name</u>	<u>Co.</u>	<u>Phone No.</u>
Mary Anne Hester	PS	850 4136866
Robert Burnett	BellSouth Public	(205) 943-2672
David Christian	GTE	850/224-3963
Woody Whitford	GTE	972 718 3032
Amy Stacer	GTE	972-718-6218
Marsha Rule	AT&T	850 425 6365
Angela Green	FPTA	850 222-5050
HARVEY SPEARS	Sprint	850-599-1401
Sandy Khayrae	"	850-847-0675
Rhonda Merritt	AT&T	850-425-6342
Floyd Self	Messerhau Firm	850-222-0720
Susan Dams Morley	Wiggins - Villacorta	850-385-6007
Stan Green	BST	850-224-5139
Craig Hewitt	PS	" 413-6848

AGENDA

Rule Development Workshop
Thursday, February 3, 2000
Room 152, Betty Easley Conference Center
9:30 a.m.

Docket No. 991930-TP - Proposed Amendments to Rules 25-24.515, F.A.C., Pay Telephone Service; 25-24.516, F.A.C., Pay Telephone Rate Caps; 25-24.620, F.A.C., Service Requirements for Companies Providing Operator Services; and 25-24.630, F.A.C., Rate and Billing Requirements

- I. Introduction
- II. Discussion and comments concerning staff's changes to Rules 25-24.515, Pay Telephone Service and 25-24.516, Pay Telephone Rate Caps
- III. Discussion and comments concerning staff's changes to Rules 25-24.620, Service Requirements for Companies Providing Operator Services and 25-24.630, Rate and Billing Requirements
- IV. Other comments

Post-workshop comments must be filed with the Division of Records and Reporting by Thursday, February 17, 2000

1 25-24.515 Pay Telephone Service.

2 (1) For the purposes of this section, the term "direct
3 free" shall mean without requiring the use of a coin, paper
4 money, credit card, or any other form of payment, even if the
5 payment will be returned.

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

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

12 (4) Each pay telephone station shall permit direct free
13 access to the universal telephone number "911", where operable.

14 (5) Each pay telephone station shall permit direct free
15 access to dialtone.

16 (6) Each pay telephone station shall permit direct free
17 access to toll free numbers (e.g., 800, 877, and 888).

18 (7) Each pay telephone station shall complete calls to
19 local and long distance directory assistance.

20 (8) Each pay telephone station shall complete calls to the
21 responsible party for repairs or refunds by direct free access.

22 (9) ~~Except as provided in paragraph (9)(c), e~~Each pay
23 telephone station shall be equipped with a legible sign, card, or
24 plate of reasonable permanence which shall identify the
25 following:

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1 (a) The telephone number and location address of the pay
2 telephone station, name and certificate number of the certificate
3 holder, the party responsible for repairs and refunds, address of
4 responsible party, free phone number of responsible party, clear
5 dialing instructions (including notice of the lack of
6 availability of local or toll services), and the local coin rate.

7 (b) For those pay telephone stations that will terminate
8 conversation after a minimum elapsed time, notice shall be
9 included on the sign card as well as an audible announcement 30
10 seconds prior to termination of the phone call.

11 ~~(c) Pay telephone providers have until June 30, 1998, or~~
12 ~~six months after the effective date of this rule, whichever is~~
13 ~~later, to comply with the requirements of placing the certificate~~
14 ~~number on the pay telephone station sign, card, or plate.~~

15 (10) Each pay telephone station which provides access to any
16 interexchange company shall provide coin free access, except for
17 Feature Group A access, to all locally available interexchange
18 companies. The pay telephone station shall provide such access
19 through the forms of access purchased by locally available long
20 distance carriers such as 10XXX+0, 10XXXX+0, 101XXXX+0, 950, and
21 toll free (e.g., 800, 877, and 888) access.

22 (11) No sales solicitation shall be allowed during the
23 interval between the last digit dialed by the end user and
24 connection with the interexchange carrier.

25 (12) All end user dialed 0+ local and all 0- calls shall be

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1 | routed to a provider of local exchange telecommunications
2 | services company that is authorized by the Commission to handle
3 | ~~0 calls. All other calls, including operator service calls, may~~
4 | ~~be routed to the pay telephone provider's carrier of choice,~~
5 | unless the end user dials the appropriate access code for their
6 | carrier of choice, i.e., 950, 10XXX, 10XXXX, 101XXXX, and toll
7 | free access (e.g., 800, 877, and 888). Except the pay telephone
8 | provider may select any certificated carrier as the carrier of
9 | choice for 0+ local calls placed from pay telephone stations used
10 | predominantly by inmates within a confinement facility.

11 | (13) (a) Each pay telephone station shall allow incoming
12 | calls to be received at all times, with the exception of those
13 | located at hospitals, schools, and locations specifically
14 | exempted by the Commission. There shall be no charge for
15 | receiving incoming calls.

16 | (b) A pay telephone provider may petition the Commission
17 | for an exemption from the incoming call requirement for a period
18 | that shall not exceed two years from the effective date of the
19 | Order granting the exemption. Requests for exemption from the
20 | requirement that each pay telephone station allow incoming calls
21 | shall be accompanied by a completed Form PSC/CMU-2 (02/99),
22 | entitled "Request to Block Incoming Calls," which is incorporated
23 | into this rule by reference and may be obtained from the
24 | Commission's Division of Telecommunications. The form requires
25 | an attestation from the owner of the pay telephone, the owner of

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1 | the pay telephone location, and the chief of the responsible law
2 | enforcement agency that the request is sought in order to deter
3 | criminal activity facilitated by incoming calls being received at
4 | the specified pay telephone. A separate form shall be filed for
5 | each telephone number for which an exemption is sought.

6 | Exemptions which were granted prior to the two-year limitation
7 | will expire two years from the effective date of the amendment,
8 | February 1, 1999, establishing the two-year limitation. The
9 | provider of the pay telephone may request subsequent two-year
10 | exemptions by filing another Form PSC/CMU-2 (02/99). Where
11 | incoming calls are not received, central-office based intercept
12 | shall be provided at no charge to the end user and a written
13 | notice shall be prominently displayed on the instrument directly
14 | above or below the telephone number which states: "Incoming calls
15 | blocked at request of law enforcement."

16 | (14) Each pay telephone station must be connected to an
17 | individual access line.

18 | (15) (a) Each pay telephone service company shall permit
19 | outgoing calls to be placed from its pay telephone stations at
20 | all times.

21 | (b) Each pay telephone service company shall make all
22 | reasonable efforts to minimize the extent and duration of
23 | interruptions of service. Service repair programs should have as
24 | their objective the restoration of service on the same day that
25 | the interruption is reported to the company. (Sundays and

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1 | holidays excepted.)

2 | (16) (a) Where there is a single pay telephone station, a
3 | directory shall be maintained at each station. Where there are
4 | two or more pay telephone stations located in a group, a
5 | directory for the entire local calling area shall be maintained
6 | at every other station. However, where telephone pay stations
7 | are fully enclosed, a directory shall be maintained at each pay
8 | telephone station. For purposes of this rule, the term
9 | "directory" shall mean both a current white page directory for
10 | the local calling area and a reasonably current yellow page
11 | directory that is appropriate for the calling area of the pay
12 | telephone station. ~~Companies must comply with this subsection by~~
13 | ~~June 30, 1999, or six months after the effective date of this~~
14 | ~~rule, whichever is longer.~~

15 | (b) Pay telephone stations that provide local directory
16 | assistance at no charge are exempt from the provisions in
17 | (16) (a). A notice must appear on the placard if local directory
18 | assistance at no charge is being provided.

19 | (17) Normal maintenance and coin collection activity shall
20 | include a review of the cleanliness of each pay telephone
21 | station.

22 | (18) (a) Except as provided in paragraphs (18) ~~(a)~~ (b) —
23 | (c) and (e) below, each pay telephone station shall conform to
24 | sections 4.28.8.4 and 4.29 of the American National Standards
25 | Accessible and Usable Buildings and Facilities, approved December

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1 15, 1992, by the American National Standards Institute, Inc.
2 (ANSI A117.1-1992), which is incorporated by reference into this
3 rule.

4 (b) Where there are two or more pay telephone stations
5 located in a group, there shall be a minimum of one telephone per
6 group of ten which conforms to the ANSI standards listed in
7 subsection (18)(a). The conforming station must be physically
8 located in the group of pay telephone stations or must be
9 installed within a clear line of sight within 15 feet of the
10 group and the route to the conforming station must be free from
11 wheelchair barriers.

12 (c) Except for locations on floors above or below entry
13 level in buildings not serviced by a ramp or elevator, pay
14 telephone stations shall be placed in areas accessible to the
15 physically handicapped.

16 (d) Pay telephone stations located in buildings which are
17 not wheelchair accessible must comply with all ANSI provisions
18 cited in this subsection except that these stations are exempt
19 from complying with ANSI sections 4.29.2 through 4.29.4, 4.29.7,
20 and 4.29.8 until the building is modified to make it wheelchair
21 accessible.

22 (e) Pay telephones shall not be installed where the
23 required "clear floor or ground space" provided for in ANSI
24 section 4.29.2 is reduced by a vehicle parked in a designated
25 parking space.

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1 ~~(f) Each pay telephone provider shall modify its pay~~
2 ~~telephone station to comply with ANSI section 4.29.5 within six~~
3 ~~months from the effective date of these rules.~~

4 (19) Each pay telephone station shall conform to the
5 National Electric Code, 1999 edition, approved by the National
6 Fire Protection Association, Inc., and to the National Safety
7 Code, 1997 edition, approved by the American National Standards
8 Institute, which are incorporated by reference into this rule.

9 ~~(20)~~(19) Each pay telephone station shall permit end users
10 to input unlimited digits for the duration of the call.

11 ~~(21)~~(20) Toll Fraud Liability.

12 (a) A company providing interexchange telecommunications
13 services or local exchange telecommunications services shall not
14 collect from a pay telephone provider for charges billed to a
15 line for calls which originated from that line through the use of
16 access codes such as 10XXX, 10XXXX, 101XXXX, 950, and toll free
17 (e.g., 800, 877, 888) access codes, or when the call originating
18 from that line otherwise reached an operator position, if the
19 originating line is subscribed to outgoing call screening and the
20 call was placed after the effective date of the outgoing call
21 screening order.

22 (b) A company providing interexchange telecommunications
23 services or local exchange telecommunications services shall not
24 collect from a pay telephone provider for charges for collect or
25 third number billed calls, if the line to which the call was

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1 billed was subscribed to incoming call screening and the call was
2 placed after the effective date of the incoming call screening
3 order.

4 (c) Any calls billed through the provider of local exchange
5 telecommunications services or directly by an interexchange
6 company, or through a billing agent, which have been identified
7 as not collectible as described in paragraphs (21)~~(20)~~(a) and
8 (21)~~(20)~~(b) above, must be removed from any pay telephone
9 provider's bill after the pay telephone provider gives notice of
10 the fraudulent charges to the billing party. Pay telephone
11 providers shall give such notice to the provider of local
12 exchange telecommunications services and the interexchange
13 company in writing no later than the due date of the bill.

14 (d) The provider of local exchange telecommunications
15 services is responsible for charges described in paragraph
16 (21)~~(20)~~(c) that are associated with the failure of the provider
17 of local exchange telecommunications services' screening
18 services.

19 (e) The interexchange company is responsible for charges
20 described in paragraph (21)~~(20)~~(c) that are associated with the
21 failure to properly validate calls via the appropriate provider
22 of local exchange telecommunications services' data base.

23 (f) Definitions: For purposes of subsection (21)~~(20)~~ the
24 term "Effective Date" shall mean the date after the call
25 screening order was placed and associated charges apply.

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1 (g) Any charges accrued to a line when the subscriber has
2 subscribed to the provider of local exchange telecommunications
3 services to screen calls described in paragraphs (21)~~(20)~~(a) and
4 (21)~~(20)~~(b) above shall not be the basis for discontinuance of
5 local and intrastate service.

6 (22)~~(21)~~ Providers serving confinement facilities shall
7 provide for completion of all inmate calls allowed by the
8 confinement facility.

9 (23)~~(22)~~ Pay telephone stations used by inmates located in
10 confinement facilities shall be exempt from the requirements of
11 subsections (2), (4), (6), (7), (8), (10), ~~(12)~~, (13), (15),
12 (16), and (20)~~(19)~~ of this rule. Such pay telephone stations
13 shall also be exempt from the requirements of subsection (9),
14 except that outgoing local and long distance calls may not be
15 terminated until after a minimum elapsed time of ten minutes.
16 Audible and written disconnect notifications shall apply, and one
17 access line shall not be connected to more than three pay
18 telephone stations.

19 Specific Authority 350.127(2) FS.

20 Law Implemented 364.03, 364.035, 364.063, 364.337, 364.3375,
21 364.345 FS.

22 History--New 1-5-87, Amended 4-14-92, 12-21-92, 2-3-93, 10-10-94,
23 12-27-94, 9-5-95, 2-1-99, .

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1 | 25-24.516 Pay Telephone Rate Caps.

2 | (1) Rates charged any end user by a pay telephone provider,
3 | providing operator service within the pay telephone premises'
4 | equipment, shall not exceed the following:

5 | (a) Local coin calls -- the flat rate posted at the pay
6 | telephone station.

7 | (b) Extended area service (EAS) coin calls -- a rate
8 | equivalent to the local coin call rate.

9 | (c) Extended calling scope (ECS) coin calls -- a the rate
10 | equivalent to the local coin call rate.

11 | (d) 0+ toll non-person-to-person -- a maximum rate of \$0.30
12 | per minute, plus a \$1.75 per call charge.

13 | (e) 0+ toll person-to-person -- a maximum rate of \$.30 per
14 | minute, plus a \$3.25 per call charge.

15 | (f) 0+ local non-person-to-person ~~local~~ -- a rate
16 | equivalent to the local coin call rate, plus a \$1.75 per call
17 | charge.

18 | (g) 0+ local person-to-person ~~local~~ -- a rate equivalent to
19 | the local coin call rate, plus a \$3.25 per call charge.

20 | (2) A pay telephone provider shall not obtain services from
21 | a local exchange carrier, an interexchange carrier, or an
22 | operator service provider unless such carrier or provider has
23 | obtained a certificate of public convenience and necessity from
24 | the Commission.

25 | ~~(3) A set use fee of \$.25 shall apply to all completed 0-~~

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1 | ~~local calls placed from pay telephones.~~

2 | Specific Authority 350.127(2) FS.

3 | Law Implemented 364.03, 364.3375(4), (5), 364.3376 FS.

4 | History--New 9-5-95, Amended 2-1-99, .

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6 | 25-24.620 Service Requirements for Companies Providing Operator
7 | Services.

8 | (1) Every company providing operator services shall clearly
9 | state the name of the company upon answer and again after
10 | accepting billing information before the call is connected.

11 | (2) In its tariffs for and contracts with billing and
12 | collection agents and other companies providing operator
13 | services, every company providing operator services shall require
14 | the other party to:

15 | (a) Allow end users to access, at no charge, all locally
16 | available interexchange companies via all locally available
17 | methods of access, such as 10XXX, 10XXXX, 101XXXX, 950, and toll
18 | free access codes, such as 800, 877, and 888; except that Feature
19 | Group A (seven-digit local number) access lines are exempt from
20 | this requirement;

21 | (b) Allow end users to access the universal telephone
22 | number "911", where operable, at no charge to the end user, and
23 | where not operable, to allow end users to access the operator of
24 | the provider of local exchange telecommunications services at no
25 | charge;

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1 (c) Route all end user dialed 0 + local and all 0- calls to
2 the provider of local exchange telecommunications services unless
3 the end user dials the appropriate access code for his carrier of
4 choice, such as 950, 800, 877, 888, 10XXXX, 101XXXX, or 10XXX, or
5 the call is placed from a pay telephone station used by inmates
6 within a confinement facility; and

7 (d) Route all end user dialed 1 + and 0 + toll calls to the
8 preselected carrier unless the end user dials the appropriate
9 access code for his carrier of choice, such as 950, 800, 877,
10 888, 10XXXX, 101XXX, or 10XXX; and

11 (e) Route all end user dialed 0- calls to the operator of
12 the provider of local exchange telecommunications services at no
13 charge to the end user when no additional digits are dialed after
14 five seconds.

15 (3) Each operator services provider shall provide an
16 opportunity for each caller to be identified by name to the
17 called party before any collect calls may be completed.

18 Specific Authority 350.127(2) FS.

19 Law Implemented 364.01, 364.3376 FS.

20 History--New 9-6-93, Amended 1-16-96, 9-10-97, 2-1-99,

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23 25-24.630 Rate and Billing Requirements.

24 (1) Rates ~~Services~~ charged and billed to any end user by an
25 operator services provider for ~~an intrastate 0+ or 0-~~ calls made

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1 from a pay telephone or in a call aggregator context are
2 inclusive of all charges and fees, including any Federal
3 Communications Commission ordered fees, and shall not exceed a
4 rate of \$.30 per minute plus the applicable charges for the
5 following types of telephone calls:

6 (a) 0+ and 0- toll non-person-to-person - a maximum rate of
7 \$0.30 per minute, plus a \$1.75 per call charge ~~A person to person~~
8 ~~call — a charge of \$3.25;~~

9 (b) 0+ and 0- toll person to person - a maximum rate of
10 \$0.30 per minute, plus a \$3.25 per call charge ~~A call that is not~~
11 ~~a person to person call — a charge of \$1.75;~~

12 (c) 0+ and 0- local non-person-to-person - a rate
13 equivalent to the posted pay telephone local coin rate or posted
14 call aggregator flat rate, as applicable, plus a \$1.75 per call
15 charge; and

16 (d) 0+ and 0- local person-to-person - a rate equivalent to
17 the posted pay telephone local coin rate or posted call
18 aggregator flat rate, as applicable, plus a \$3.25 per call
19 charge.

20 (2) If the end user dials 0- and requests transfer to an
21 operator services provider of choice, the rate caps in subsection
22 (1) do not apply.

23 ~~(2) For 0- calls from pay telephone stations completed by~~
24 ~~the provider of local exchange telecommunications services, a set~~
25 ~~use fee of \$.25 shall apply and shall be remitted by the local~~

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1 | ~~exchange company to the pay telephone service provider.~~

2 | (3) An operator services provider shall have current rate
3 | information readily available and provide this information orally
4 | to end users upon request prior to connection.

5 | (4) An operator services provider shall require that its
6 | certificated name appear on any telecommunications company's bill
7 | for regulated charges.

8 | (5) An operator services provider shall require all calls
9 | to be individually identified on each bill from a
10 | telecommunications company on an end user's bill, including the
11 | date and start time of the call, call duration, origin and
12 | destination (by city or exchange name and telephone number), and
13 | type of call.

14 | (6) An operator services provider shall provide a toll-free
15 | number for customer inquiries on the bill and maintain procedures
16 | adequate to allow the company to promptly receive and respond to
17 | such inquiries.

18 | (7) An operator services provider shall charge only for
19 | conversation time as rounded according to company tariffs.

20 | (8) An operator services provider shall not:

21 | (a) Bill or charge for uncompleted calls in areas where
22 | answer supervision is available or knowingly bill or charge for
23 | uncompleted calls in areas where answer supervision is not
24 | available.

25 | (b) Bill for any collect call that has not been

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1 | affirmatively accepted by a person receiving the call regardless
2 | of whether the call was processed by a live or automated
3 | operator.

4 | (c) Bill for calls in increments greater than one minute
5 | except for coin calls that may be in increments no greater than
6 | three minutes.

7 | (d) Bill or collect a surcharge levied by any entity,
8 | either directly or through its billing agent, except
9 | Commission-approved charges for pay telephone providers.

10 | Specific Authority 350.127(2) FS.

11 | Law Implemented 364.01, 364.3376 FS.

12 | History--New 9-6-93, Amended 2-1-99.

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