



Public Service Commission
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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION CLERK

DATE: NOVEMBER 7, 2002

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK
ADMINISTRATIVE SERVICES (BAYÓ)

FROM: DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (WATTS, *W*)
P MOSES, CATER) *AK*
OFFICE OF THE GENERAL COUNSEL (TEITZMAN) *At dr*

RE: DOCKET NO. 021068-TC - IMPLEMENTATION OF 211 ACCESS TO
COMPREHENSIVE INFORMATION AND REFERRAL SERVICES FROM PAY
TELEPHONES.

AGENDA: 11/19/02 - REGULAR AGENDA - PROPOSED AGENCY ACTION -
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\021068.RCM

CASE BACKGROUND

On February 18, 1997, the Federal Communications Commission (FCC) adopted Order No. FCC 97-51 in CC Docket No. 92-105, In the Matter of The Use of N11 Codes and Other Abbreviated Dialing Arrangements. In this Order, the FCC set aside 311 for non-emergency access to police and other government services.

On July 21, 2000, the FCC adopted Order No. FCC 00-257 in the same docket. This Order set aside the 711 dialing code for telephone relay services used to communicate with the hearing and speech impaired. By Order No. PSC-01-0455-PAA-TP, issued February 26, 2001, the Florida Public Service Commission (FPSC) required all certified telecommunications companies "provide 711 access to telecommunications relay services by August 1, 2001" (Order at p. 3).

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On July 21, 2000, the FCC also adopted Order No. FCC 00-256, in CC Docket No. 92-105, which set aside the 211 dialing arrangement for comprehensive information and referral services, and 511 for access to transportation information.

Soon after FCC Order No. 00-256 was issued, the Florida Alliance for Information and Referral Services made an inquiry to the FPSC regarding receiving statewide access to the 211 dialing arrangement. At Internal Affairs on September 25, 2000, the Commission determined that it does not have jurisdiction over the assignment of the 211 number to a specific entity and requested those interested in a 211 number to contact their local exchange carrier.

During the 2002 Legislative Session, SB 1256 was passed, creating Section 408.918 Florida Statutes. This statute provides for a comprehensive health and human services access system. As part of the health and human services access system, this bill also gives the Agency for Health Care Administration (AHCA) the ability to certify various agencies as providers of 211 services in the Florida 211 Network. This statute also requires AHCA to consult with the FPSC regarding the removal of non-certified users of the 211 number.¹ The statute also states that "[the] agency [AHCA] shall seek the assistance and guidance of the Public Service Commission and the Federal Communications Commission in resolving any disputes arising over jurisdiction related to 211 numbers."²

Based on Section 408.918, Florida Statutes, AHCA is currently developing rules for the certification of 211 providers. In working with AHCA, staff has been made aware of the difficulty citizens have had reaching existing 211 providers using pay telephones. Some of this difficulty stems from the fact that many pay telephone providers use 211 for customer refund requests and repair requests.

On September 20, 2002, staff held a workshop to gain input from pay telephone providers regarding their ability to program their phones to provide 211 and other N11 services. The workshop was attended by representatives from the pay telephone industry and

¹Section 408.918 (2) (a) Florida Statutes

²Section 408.918 (2) (b) Florida Statutes

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the Information and Referral Community. Staff requested that parties file post-workshop comments by October 4, 2002. Verizon was the only party that filed post-workshop comments.

The Florida Public Service Commission is vested with jurisdiction over this matter pursuant to Sections 364.01 and 364.3375, Florida Statutes. This recommendation addresses the ability of citizens to reach health and human services providers through the use of pay telephones in the State of Florida.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission order all pay telephone providers in Florida to implement 211 access to comprehensive information and referral services from all Florida pay telephones?

RECOMMENDATION: Yes. The Commission should order all pay telephone providers in Florida to implement 211 access to comprehensive information and referral services from their respective Florida pay telephones. If no protest to the Proposed Agency Action Order is filed within 21 days of the issuance of the Order, each pay telephone provider shall allow 211 to be forwarded as dialed to the local exchange company to provide 211 access to comprehensive information and referral services and should update its signage to reflect this change within six months of the date of issuance of the Consummating Order. (Watts, Moses, Cater, Teitzman)

STAFF ANALYSIS: Section 408.918(1)(e), Florida Statutes, states:

(1) The Legislature authorizes the planning, development, and, subject to appropriations, the implementation of a statewide Florida 211 Network, which shall serve as the single point of coordination for information and referral for health and human services. The objectives for establishing the Florida 211 Network shall be to:

e) Promote the use of a common dialing access code and the visibility and public awareness of the availability of information and referral services.

To meet this objective in Florida, it is necessary that the 211 dialing code function uniformly throughout the state, including pay telephones. The Florida pay telephone providers, however, commonly use the 211 dialing code from their pay telephones as a refund or repair number.

During staff's September 20, 2002, 211 workshop, staff queried the industry representatives concerning the technical and financial aspects of implementing the necessary changes to meet the Florida 211 Network objectives. Industry representatives stated that, for most pay telephones, the software can be reprogrammed remotely and

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downloaded to the pay telephones via modem. Also, the updated placards could be changed during routine coin collections. Thus, the industry representatives believe that there would be minimal costs involved in implementing the 211 dialing code for information and referral services.

Staff then proposed that the pay telephone providers be given six months after the Consummating Order is issued to fully implement the 211 dialing code. Given the low level of technical difficulty and minimal cost impact to the providers, staff believes that this time frame is fair and reasonable. Staff also notes that, in the workshop, no one objected to the six month time frame.

Further, the FCC has directed that pay telephone providers be compensated for every call made from their pay telephones, with the exception of 911 calls. Therefore, pay telephone providers can charge for 211 access. During the workshop, participants indicated that access to 211 would most likely be charged at the same level as a local telephone call.

Therefore, staff recommends that the Commission should order all pay telephone providers in Florida to implement 211 access to comprehensive information and referral services from their respective Florida pay telephones. If no protest to the Proposed Agency Action Order is filed within 21 days of the issuance of the Order, each pay telephone provider shall allow 211 to be forwarded as dialed to the local exchange company to provide 211 access to comprehensive information and referral services and should update its signage to reflect this change within six months of the date of issuance of the Consummating Order.

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ISSUE 2: Should this docket be closed

RECOMMENDATION: The Order issued from this recommendation will become final upon issuance of a Consummating Order, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action Order. The docket should then be closed upon issuance of a Consummating Order. **(Teitzman)**

STAFF ANALYSIS: Whether staff's recommendation is approved or denied, the result will be a Proposed Agency Action Order. If no timely protest to the Proposed Agency Action Order is filed within 21 days of the date of issuance of the Order, this docket should be closed upon issuance of a Consummating Order.