

STATE OF FLORIDA

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Public Service Commission

November 25, 2002

Mr. Carroll Webb
Joint Administrative Procedures Committee
Room 120 Holland Building
Tallahassee, FL 32399-1300

Dear Mr. Webb:

RE: Docket No. 020644-TP - Rules Nos. 25-4.036, 25-24.515,
and 25-24.585, F.A.C.

Dear Mr. Webb:

The Commission has approved the amendment of Rules 25-4.036, F.A.C., Design and Construction of Plant, 25-24.515, F.A.C., Pay Telephone Service, and 25-24.585, Rules Incorporated without changes.

We plan to file the rule for adoption on December 3, 2002.

Sincerely,

A handwritten signature in cursive script that reads "Samantha M. Cibula".

Samantha M. Cibula
Senior Attorney

020644adp.smc
Enclosure

cc: Division of the Commission Clerk
and Administrative Services

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FPSC-COMMISSION CLERK

1 25-4.036 Design and Construction of Plant.

2 (1) The plant and facilities of the utility shall be
3 designed, constructed, installed, maintained and operated in
4 accordance with provisions of the 2002 ~~1993~~ Edition of the National
5 Electrical Safety Code (IEEE C2-2002 ~~1993~~), ~~except that Rule 350G~~
6 ~~of the safety code shall be effective for cable installed on or~~
7 ~~after January 1, 1996,~~ and the National Electrical Code (NFPA 70-
8 2002 ~~1993~~), pertaining to the construction of telecommunications
9 facilities.

10 (2) Compliance with these codes and accepted good practice is
11 necessary to insure as far as reasonably possible continuity of
12 service, uniformity in the quality of service furnished and the
13 safety of persons and property.

14 Specific Authority: 350.127(2), F.S.

15 Law Implemented: 364.01(4), 364.03, F.S.

16 History: Revised 12/1/68, Amended 4/19/77, Amended 2/5/86,
17 Formerly 25-4.36, F.S., Amended 3/26/91, 5/3/94, xx/xx/xx.

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1 25-24.515 Pay Telephone Service.

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

6 (2) Pay telephone stations shall be lighted during the hours
7 of darkness when light from other sources is not adequate to read
8 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 local
19 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) Each ~~Except as provided in paragraph 9(c),~~ each pay
23 telephone station shall be equipped with a legible sign, card, or
24 plate of reasonable permanence which shall identify the following:

25 (a) The telephone number and location address of the pay

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

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

10 ~~(c) Pay telephone providers have until June 30, 1999, or six~~
11 ~~months after the effective date of this rule, which ever is later,~~
12 ~~to comply with the requirements of placing the certificate number~~
13 ~~on the pay telephone station sign, card, or plate.~~

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

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

24 (12) All 0- calls shall be routed to a telecommunications
25 company that is authorized by the Commission to handle 0- calls.

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1 All other calls, including operator service calls, may be routed to
2 the pay telephone provider's carrier of choice, unless the end user
3 dials the appropriate access code for their carrier of choice,
4 i.e., 950, 10XXX, 10XXXX, 101XXXX, and toll free access (e.g., 800,
5 877, and 888).

6 (13) (a) Each pay telephone station shall allow incoming
7 calls to be received at all times, with the exception of those
8 located at hospitals, schools, and locations specifically exempted
9 by the Commission. There shall be no charge for receiving incoming
10 calls.

11 (b) A pay telephone provider may petition the Commission for
12 an exemption from the incoming call requirement for a period that
13 shall not exceed two years from the effective date of the Order
14 granting the exemption. Requests for exemption from the
15 requirement that each pay telephone station allow incoming calls
16 shall be accompanied by a completed Form PSC/CMP-2 (02/99),
17 entitled "Request to Block Incoming Calls," which is incorporated
18 into this rule by reference and may be obtained from the
19 Commission's Division of Competitive Markets and Enforcement. The
20 form requires an attestation from the owner of the pay telephone,
21 the owner of the pay telephone location, and the chief of the
22 responsible law enforcement agency that the request is sought in
23 order to deter criminal activity facilitated by incoming calls
24 being received at the specified pay telephone. A separate form
25 shall be filed for each telephone number for which an exemption is

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

11 (14) Each pay telephone station must be connected to an
12 individual access line.

13 (15)(a) Each pay telephone service company shall permit
14 outgoing calls to be placed from its pay telephone stations at all
15 times.

16 (b) Each pay telephone service company shall make all
17 reasonable efforts to minimize the extent and duration of
18 interruptions of service. Service repair programs should have as
19 their objective the restoration of service on the same day that the
20 interruption is reported to the company. (Sundays and holidays
21 excepted.)

22 (16)(a) Where there is a single pay telephone station, a
23 directory shall be maintained at each station. Where there are two
24 or more pay telephone stations located in a group, a directory for
25 the entire local calling area shall be maintained at every other

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1 station. However, where telephone pay stations are fully enclosed,
2 a directory shall be maintained at each pay telephone station. For
3 purposes of this rule, the term "directory" shall mean both a
4 current white page directory for the local calling area and a
5 reasonably current yellow page directory that is appropriate for
6 the calling area of the pay telephone station. ~~Companies must~~
7 ~~comply with this subsection by June 30, 1999, or six months after~~
8 ~~the effective date of this rule, which ever is longer.~~

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

13 (17) Normal maintenance and coin collection activity shall
14 include a review of the cleanliness of each pay telephone station.

15 (18)(a) Except as provided in paragraphs (18)(b)-(d) ~~(a)-~~
16 ~~(c)and (e)~~ below, each pay telephone station shall conform to
17 sections 703.7.2.3 and 704 ~~4.28.8.4 and 4.29~~ of the American
18 National Standards Accessible and Usable Buildings and Facilities,
19 approved ~~December 15, 1992,~~ by the American National Standards
20 Institute, Inc. (ANSI A117.1-1998 ~~1992~~), which is incorporated by
21 reference into this rule.

22 (b) Where there are two or more pay telephone stations
23 located in a group, there shall be a minimum of one telephone per
24 group of ten which conforms to the ANSI standards listed in
25 subsection (18)(a). The conforming station must be physically

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1 located in the group of pay telephone stations or must be installed
2 within a clear line of sight within 15 feet of the group and the
3 route to the conforming station must be free from wheelchair
4 barriers.

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

9 ~~(d) Pay telephone stations located in buildings which are not
10 wheelchair accessible must comply with all ANSI provisions cited in
11 this subsection except that these stations are exempt from
12 complying with ANSI sections 4.29.2 through 4.29.4, 4.29.7, and
13 4.29.8 until the building is modified to make it wheelchair
14 accessible.~~

15 (d)(e) Pay telephones shall not be installed where the
16 required "clear floor or ground space" provided for in ANSI section
17 704.2.1 would be ~~4.29.2~~ is reduced by a vehicle parked in a
18 designated parking space.

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

22 (19) Each pay telephone station shall permit end users to
23 input unlimited digits for the duration of the call.

24 (20) Toll Fraud Liability.

25 (a) A company providing interexchange telecommunications

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1 services or local exchange telecommunications services shall not
2 collect from a pay telephone provider for charges billed to a line
3 for calls which originated from that line through the use of access
4 codes such as 10XXX, 10XXXX, 101XXXX, 950, and toll free (e.g.,
5 800, 877, 888) access codes, or when the call originating from that
6 line otherwise reached an operator position, if the originating
7 line is subscribed to outgoing call screening and the call was
8 placed after the effective date of the outgoing call screening
9 order.

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

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

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1 (d) The provider of local exchange telecommunications
2 services is responsible for charges described in paragraph (20)(c)
3 that are associated with the failure of the provider of local
4 exchange telecommunications services' screening services.

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

9 (f) Definitions: For purposes of subsection (20) the term

10 1. "Effective Date" shall mean the date after the call
11 screening order was placed and associated charges apply.

12 (g) Any charges accrued to a line when the subscriber has
13 subscribed to the provider of local exchange telecommunications
14 services to screen calls described in paragraphs (20)(a) and
15 (20)(b) above shall not be the basis for discontinuance of local
16 and intrastate service.

17 (21) Providers serving confinement facilities shall provide
18 for completion of all inmate calls allowed by the confinement
19 facility.

20 (22) Pay telephone stations located in confinement facilities
21 shall be exempt from the requirements of subsections (2), (4), (6),
22 (7), (8), (10), (12), (13), (15), (16), and (19) of this rule.
23 Such pay telephone stations shall also be exempt from the
24 requirements of subsection (9), except that outgoing local and long
25 distance calls may not be terminated until after a minimum elapsed

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1 25-24.585 Rules Incorporated.

2 (1) The following rules are incorporated herein by reference
3 and apply to shared tenant service companies:

<u>SECTION</u>	<u>TITLE</u>	<u>PORTIONS APPLICABLE</u>
25-4.019	Records and Reports in General	All
25-4.020	Location and Preservation of Records	All except (1) and (3)
<u>25-4.036</u>	<u>Design and Construction of Plant</u>	<u>All</u>
25-4.043	Response to Commission Staff Inquiries	All
25-4.0161	Regulatory Assessment Fees; Telecommunication Companies	All
25-4.160	Operation of Telecommunications Relay Service	All

16 (2) Each shared tenant service company shall file with the
17 Commission's Division of Competitive Markets and Enforcement
18 updated information for the following items within ten days after
19 either such change occurs.

20 (a) The mailing address of the certificate holder.

21 (b) Name, title, and phone number of individual responsible
22 for Commission contacts.

23 Specific Authority: 350.127(2), 427.704(8), F.S.

24 Law Implemented: 350.113, 364.016, 364.17, 364.18, 364.183,
25

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1 | 364.185, 364.339, F.S.

2 | History--New 1/28/91, Amended 12/29/91, 11/13/95, 7/29/97,

3 | 04/08/98, xx/xx/xx.

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