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ORIGINAL  
COPY

January 25, 1991

Steve Tribble, Director  
Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, FL 32399-0850

Re: Docket No. 891194-TI

Dear Mr. Tribble:

Enclosed for filing in the above-captioned proceeding on behalf of the Citizens of the State of Florida are the original and 12 copies of Citizens' Response to Order No. 23995 to be filed in this docket.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

- ACK
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMH  Enclosure
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LED 1
- LIN 6
- CPS \_\_\_\_\_
- RCR \_\_\_\_\_
- SEC 1
- VAS \_\_\_\_\_
- OTH \_\_\_\_\_

Sincerely,

*Darlene Driscoll*

Darlene Driscoll

RECEIVED & FILED

*J. D.*  
FPSC DIVISION OF RECORDS

DOCUMENT NUMBER DATE

00843 JAN 25 1991

DIVISION OF RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filings by )  
SOUTHERN BELL TELEPHONE AND TELEGRAPH ) Docket No. 891194-TI  
COMPANY clarifying when a nonpublished ) Filed: January 25, 1991  
number can be disclosed and introducing )  
Caller ID to TouchStar Service )  
\_\_\_\_\_ )

CITIZENS' RESPONSE TO ORDER NO. 23995

The Citizens of Florida ("Citizens"), by and through Jack Shreve, Public Counsel, file this response to Commission order no. 23995 issued January 16, 1991. Order no. 23995 requires the Public Counsel to prepare a list which (1) identifies each document the Public Counsel plans to utilize at the upcoming limited hearing, (2) identifies the issue to which document relates, and (3) specifies how the document relates to the particular issue. The following list provides that information:

1. Memorandum dated August 6, 1990 from Gary J. Dennis to Tom Hamby and Ernest Bush.

Issues 5 and 9.

This memo suggests that Caller ID be offered in three forms: Caller ID - block unidentified calls (allowing a Caller ID customer to choose not to receive unidentified calls), Caller ID - allow unidentified calls (allowing Caller ID customers to receive anonymous or privacy calls if they choose), and Caller ID - per

call blocking. The author states that this three part suggestion meets all of the company's needs, could give the company some favorable press, and could get the service on track towards implementation. It also states that it would achieve balance between privacy rights of calling and called parties, while retaining the public value of Caller ID. The author states that he believes this may give the company an opportunity to lead the effort on this important new service without giving up the benefits of Caller ID to the company's customers. The document relates to issue 5 because it discusses benefits and detriments of Caller ID service. It also relates to issue 9 because it discusses various types of blocking that could be implemented while retaining the public value of Caller ID.

2. Undated memorandum from W. J. Schultz, Staff Manager, to J. R. Monk, General Security Manager, with attached article from the New York Times dated January, 1990.

Issues 5 and 6.

This memorandum reviews a newspaper article in which New Jersey Bell is quoted as experiencing a reduction of annoyance calls as a result of Caller ID. The author checked with the Annoyance Call Center manager at New Jersey Bell and found that the newspaper article quote really reflected a reduction in the placement of traditional traps - - not a reduction of annoyance calls. He concludes that New Jersey Bell appears to be playing with the numbers. He states that the number of traditional trap

will be reduced with the introduction of Caller ID and Call Trace because there is no reason to place a trap if the customer has Call Trace. This memorandum relates to issue 5 because it discusses the reduction of annoyance calls resulting from Caller ID service, and it relates to issue 6 because it describes a similarity of functions and benefits between Caller ID and Call Trace.

3. Memorandum dated April 25, 1990 from M. E. Cox to Pat Casey, with attached letter dated April 16, 1990 from Operations Manager - RSSC to Assistant Vice President - Public Affairs.

Issue 5.

This memorandum and accompanying document show a "prime example" of how the company may expect a number of customers to react in the future to Caller ID when wrong numbers and misdials occur. It relates an incident in Tennessee where a customer misdialed a number which rang but was never answered. The customer then received a number of abusive calls from the person he had accidentally misdialed. The person misdialed happened to subscribe to Caller ID. The memorandum describes the calls by the Caller ID customer as hostile, threatening and obscene. This document relates to issue 5 because it shows benefits and detriments of Caller ID service.

4. Minutes of the Meeting of the TouchStar Implementation Team dated October 19, 1989.

Issues 5 and 6.

These minutes state that South Central Bell does not feel Caller ID will reduce annoying call problems. There has been no substantial reduction in load at its Annoyance Call Pureau with the implementation of Call Trace. The minutes state that when the market is highly penetrated with Call Trace and Caller ID, there may be a reduction. It describes a request that Caller ID not be promoted as a way to stop harassing calls. This document relates to issue 5 because it discusses benefits and detriments of Caller ID, and it relates to issue 6 because of the interrelationship between Caller ID and Call Trace.

5. Letter dated December 12, 1989 from Terry Lane, Manager-Security, to Janet Bernstein, Staff Manager-LOB Network.

Issues 5 and 6.

This letter states that Caller ID is not a remedy for someone receiving annoying calls. The telephone number of a harassing caller delivered to a Caller ID customer is not usable by the Annoyance Call Center to take action against the caller. In addition, it states that "we" do not believe Caller ID will have the deterrent effect on annoyance callers that some individuals perceive. It states that similar comments were made relative to the deterrent effect of Caller ID when the TouchStar Call Trace feature was introduced in Memphis, but the company has yet to see any significant reduction in the annoyance call problem in Memphis. This document relates to issue 5 because it discusses the benefits

and detriments of Caller ID service, and it relates to issue 6 because of the interrelationship between Caller ID and Call Trace.

6. Memorandum dated March 20, 1990 from D. A. Wallace, Manager-Florida Annoyance Call Center, Southern Bell, to W. J. Schultz, Staff Manager-Security, BellSouth Corporation.

Issue 6.

This memorandum states that one cannot address Call Trace without discussing the impending Caller ID offering in Florida. It states that when a customer pays four dollars per month for Call Trace, the customer is apt to activate it frivolously because the customer feels they should be receiving something in return. It further states that it is sensible to deliver the traced telephone number at the time of the Call Tracing activation. It recommends a pricing study to consider charging per activation, just as the company would charge for either 411 service or long distance calls. It suggests considering 50¢, 75¢, or \$1 per activation. It additionally states that abolishment of the four dollar per month charge, and the universal availability of Call Trace to all subscribers at usage based rates, would discourage potential offending callers who would be aware that their calling number would be delivered. The memorandum concludes by stating that both the desire of customers for information and the company's increased revenue objectives could be satisfied by implementing these changes. This document relates to issue 6 because it discusses the

interrelationship of Caller ID and Call Trace and suggests a changed rate structure for Call Trace.

7. Letter dated June 1, 1990 from J. R. Monk, General Security Manager (BSC) to P. H. Casey, Vice President and Comptroller (BSC), M. E. Cox, Assistant Vice President - Security (SCB), and J. L. Schmidt, Assistant Vice President - Security (SB).

Issues 6 and 10.

This letter states that customers expect to obtain the telephone number of a caller upon activation of the Call Trace feature. In many cases customers have disconnected the feature upon learning that they will not be provided with that information. It states that "our position is the numbers should be provided on successful traces," and provides certain conditions for release of the number. The author relates that position to the fact that Caller ID will furnish the telephone of the calling party. The letter goes on to state that there are no plans to provide customer name and address information from the security group to either Call Trace or Caller ID customers. This issue relates to issue 6 because it shows similar functions and/or benefits between Caller ID and Call Trace. In addition, it affects issue 10 because the provision of the offending party's telephone number to a Call Trace customer could affect law enforcement personnel. Call Trace could provide the calling party's telephone number in instances where Caller ID would not provide the calling party's number. Providing

the number in these circumstances could affect the safety of undercover police officers.

8. Letter dated June 12, 1990 from P. H. Casey, Vice President and Comptroller, to N. C. Baker, Senior Vice President - Regulatory and Pricing (BSS), and D. L. Strohmeyer, Vice President - Marketing (BSS).

Issues 5, 6 and 10.

This letter describes a proposal by security to change their policy of providing a number captured by Call Trace only to law enforcement. In the opinion of the author, it would reduce the Annoyance Call Center activities and satisfy the customer's expectation of the service if the traced number were provided to the Call Trace customer. The proposal would change the Annoyance Call Center policy to allow the telephone number of the calling party to be given to the called party on all successful traces. The information would not be given directly to the customer, however, when there is known law enforcement involvement or if the called party indicated that he or she would harm the calling party if they knew their identity. The letter then goes on to express the author's opinion that it would be beneficial to move forward with region wide customer name and address service. It states that the existence of this service in most South Central Bell states is a direct benefit to the TouchStar product line. It states that customers in Tennessee are already finding their way into the Annoyance Call Center requesting names and addresses to go with

their Caller ID provided telephone numbers. The present policy is not to provide customer name and address information to Caller ID customers. This document relates to issue 5 because it discusses certain benefits and detriments of Caller ID service, and it relates to issue 6 because it discusses interrelationships between Caller ID and Call Trace. It affects issue 10 because the provision of the offending party's telephone number to a Call Trace customer could affect law enforcement personnel. Call Trace could provide the calling party's telephone number in instances where Caller ID would not provide the calling party's number. Providing the number in these circumstances could affect the safety of undercover police officers.

9. Memorandum from M. E. Cox to Mr. Sanders and Mr. Casey, forwarding a copy of a presentation made to the C.M.O.C. on June 11, 1990.

Issues 6 and 10.

Handwritten comments indicate a copy of the document was provided to Bill Schultz with instructions to destroy the document if not needed. This document describes plans to provide the calling party's number to customers of Call Trace service. It states that customers have demanded, and Southern Bell wants to provide, the telephone number of the offending caller to the victim. It states that this has been tentatively approved by BellSouth Corporation. With respect to Caller ID, the presentation indicates (apparently in South Central Bell states) that when a

Caller ID customer receives an annoying call, the customer may call the Annoyance Call Center to get the name and address of the number displayed on the Caller ID box or may request action be taken by the Annoyance Call Center against the calling party.

10. Letter dated September 20, 1989 from P. H. Casey, Vice President and Comptroller, BSC, to Don Strohmeyer, Vice President - Marketing, SCB.

Issues 5, 6 and 10.

This document discusses the provision of traced telephone numbers to subscribers of Call Trace. The author expresses concern about customer reaction when, after activating the service, the customer learns Southern Bell will not turn the telephone number over to them. In addition, the document notes that Southern Central Bell presently sells customer name and address information for published numbers, but that Southern Bell does not. The document relates to issue 5 because it shows possible benefits and detriments of Caller ID service, and it relates to issue 6 because it shows similarity of functions and/or benefits between Caller ID and Call Trace.

11. Letter dated November 7, 1989 from Richard Browne to J. R. Monk.

Issue 6.

This letter provides the opinion that BellSouth may legally release the name and address associated with a telephone

number without law enforcement involvement as long as BellSouth does not "knowingly" give out such information to a person who has received an harassing or annoyance call. It states that if BellSouth were to reveal call trace information to someone other than law enforcement, BellSouth would, in effect, be ignoring the state's powers and adhering to a self-help approach which, when taken to its "illogical" conclusion, would get us back to the days of vigilantes. The letter discusses the fact that a customer can call directory assistance in four South Central Bell states and, by providing only the telephone number, obtain the other party's name and address for a fee. It states that this unquestionably provides a "loophole" for a customer of the Caller ID service because the customer can get name and address information simply by providing the telephone number to directory assistance. This document relates to issue 5 because it discusses possible benefits and detriments of Caller ID service, and it relates to issue 6 because it discusses similar functions and/or benefits between Caller ID and Call Trace.

12. Letter date April 23, 1990 from D. L. Strohmeyer, Vice President - Marketing (BSS) to P. H. Casey, Vice President and Comptroller (BSC), C. J. Sanders, Vice President and Comptroller (SCB), and L. L. Schoolar, Vice President and Comptroller (SB).

Issues 6 and 10.

This letter states that both BOC security organizations have expressed interest in giving the traced telephone number to

the Call Trace subscriber. It states that preliminary indications are that this concept will receive approval. It further states that customer focus group research shows that Call Trace customers want the traced telephone number, and the lack of this information is the primary reason for service cancellation. If endorsed by legal and security, BellSouth Services marketing supports providing the number. The document relates to issue 6 because it discusses interrelationships between Caller ID and Call Trace. It affects issue 10 because the provision of the offending party's telephone number to a Call Trace customer could affect law enforcement personnel. Call Trace could provide the calling party's telephone number in instances where Caller ID would not provide the calling party's number. Providing the number in these circumstances could affect the safety of undercover police officers.

13. Letter dated September 1, 1999 from J. R. Monk, General Security Manager, to P. H. Casey, Vice President and Comptroller.

Issues 6 and 10.

This document discusses whether the customer activating Call Trace should be given the telephone number of the calling party. It expresses the author's opinion that the customer should be given the number because they have been charged for the service. This document relates to issue 6 because it discusses the similar functions and/or benefits between Caller ID and Call Trace. It affects issue 10 because the provision of the offending party's telephone number to a Call Trace customer could affect law

enforcement personnel. Call Trace could provide the calling party's telephone number in instances where Caller ID would not provide the calling party's number. Providing the number in these circumstances could affect the safety of undercover police officers.

14. AIN Released O Business Case dated March, 1990, pages 50-51 and 123-124.

Issues 5 and 6.

The first two pages discuss plans to offer automated customer name and address. Ideally, a caller with this service would dial an access number, be greeted by an automated attendant, and prompted to enter (using the TouchTone pad) either the telephone number or the name for which the caller wants the name and/or address. It would allow the customer to retrieve directory information in addition to a published telephone number. It states that Southern Bell plans to introduce the service in the near future. The document also seems to indicate that the service would provide both the name and the complete address associated with a phone number, including the city and the zip code. It would be highly cross elastic with customer name and address service currently provided by on-line directory assistance operators in the South Central Bell states, but it would not be offered concurrently with that service. Instead, it would replace it. The service would be billed on a per call basis.

The second two pages discuss plans to offer "who called me" service. This service would provide subscribers numbers and the associated names of persons calling the subscriber's number while the number was either been busy or not answered.

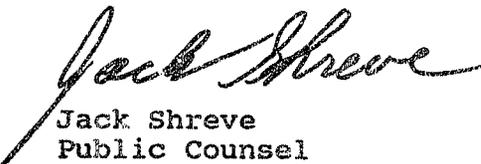
The document relates to issue 5 because it discusses benefits and detriments of Caller ID service. It involves issue 6 because it relates to similar functions and/or benefits between Caller ID and other services.

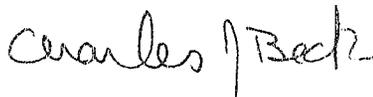
15. TouchStar Implementation Meeting Minutes dated September 10, 1990.

Issue 6.

These minutes state that two-level call return will not be turned on until Caller ID issues are resolved. This document relates to issue 6 because it discusses an interrelationship between Caller ID and Call Return.

Respectfully submitted,

  
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Attorneys for the Citizens  
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CERTIFICATE OF SERVICE  
Docket No. 891191-TI

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following parties this 25th day of January, 1991.

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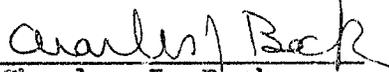
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