

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Determination of) DOCKET NO. 960665-TC
appropriate compensation to) ORDER NO. PSC-97-0467-AS-TC
local exchange companies for) ISSUED: April 23, 1997
lost revenues resulting from)
improper routing of 0+ local and)
intraLATA traffic from)
confinement facilities by)
InVision Telecom, Inc.)
_____)

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
SUSAN F. CLARK
J. TERRY DEASON
JOE GARCIA
DIANE K. KIESLING

ORDER APPROVING SETTLEMENT FOR LOSS REVENUES
CAUSED BY IMPROPER ROUTING OF LOCAL AND INTRALATA
CALLS FROM CONFINEMENT FACILITIES

BY THE COMMISSION:

InVision Telecom, Inc. (InVision or the company) is a Pay Telephone Company (PAT) that is certified to do business in the State of Florida under Certificate Number 4311, effective November 8, 1995. The company operates approximately 200 pay telephones in various confinement facilities throughout Florida. On April 1, 1996, InVision petitioned the Commission for a waiver of Rules 25-24.515(7), and 25-24.620(2)(c)&(d), Florida Administrative Code.

Rule 25-24.515(7), Florida Administrative Code, states that:

All intraLATA calls, including operator service calls, shall be routed to the local exchange company, unless the end user dials the appropriate access code for their carrier of choice, i.e., 950, 800, 10XXX.

Rule 25-24.620(2), Florida Administrative Code, states that:

In its tariffs for and contracts with Florida call aggregators, billing and collection agents and other operator service providers, an operator service provider shall require the other party to:

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(c) route all end-user dialed 1+, 0+, and 0- intraLATA local and toll calls to the local exchange company unless the end-user dials the appropriate access code for his carrier of choice, i.e., 950, 800, 10XXX.

(d) route all end-user dialed 0- calls to the local exchange company operator at no charge to the end user when no additional digits are dialed after five seconds.

In Order No. PSC-96-1009-FOF-TC, we granted InVision's petition for waiver of these Rules. We also ordered InVision not to charge in excess of what the serving local exchange companies (LECs) charge for 0+ local and intraLATA calls. The LECs were ordered to bill 0+ local and intraLATA calls placed from confinement facilities and handled by InVision when billing for such calls was requested through a valid billing and collection agreement.

Prior to our approval of Invision's waiver request, some LECs reported that the calls were not being routed to them. Our staff discovered that InVision was already handling 0+ local and intraLATA calls from confinement facilities and this resulted in lost revenues to the LECs. We initiated an inquiry to determine the amount of lost revenues to the LECs and an appropriate remedy to compensate them.

InVision immediately corrected the problem by routing the calls to the LECs. It then notified us that the violation was not intentional. InVision stated that its inmate operations group mistakenly thought that by routing the calls over LEC facilities they were in compliance with the Commission's rules. InVision also stated that the inmate operations group thought that they would prevent breaches in jail security by not routing the calls to the LECs.

InVision has negotiated settlement agreements with all LECs entitled to compensation for their lost revenues. Since InVision is now in compliance with the Commission's rules, and it appears that the agreements have made the serving LECs whole, we find it reasonable and appropriate to approve InVision's proposed settlement.

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that InVision Telecom Inc.'s proposed settlement is approved. It is further

ORDERED that this docket is closed.

By Order of the Florida Public Service Commission, this
23rd, day of April, 1997.

BLANCA S. BAYO, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.