

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the imple-)	DOCKET NO. 910800-TP
mentation of Operator Transfer Service)	ORDER NO. 25601
_____)	ISSUED: 1/13/92

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 SUSAN F. CLARK
 J. TERRY DEASON
 BETTY EASLEY

NOTICE OF PROPOSED AGENCY ACTION
ORDER REGARDING THE IMPLEMENTATION OF
OPERATOR TRANSFER SERVICE BY
SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY
AND REQUIRING ALL OTHER LOCAL EXCHANGE COMPANIES
TO FILE EITHER AN OTS TARIFF OR
AN OTS STUDY BY APRIL 1, 1992

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On April 4, 1991, Southern Bell Telephone and Telegraph Company (Southern Bell, or the Company) filed a tariff to introduce Operator Transfer Service (OTS). We approved the tariff in Order No. 24698, with an effective date of June 17, 1991. OTS is an interLATA access service provided to interexchange carriers (IXCs) and alternate operator service (AOS) companies which provides for the transfer of "zero-minus" (0-) calls from a Southern Bell operator to an IXC or AOS operator. When an end user dials "0-", he reaches a Southern Bell operator, at which time he may request connection to an IXC operator or an interLATA calling destination, or he may request an interLATA service which Southern Bell does not provide, such as interLATA rate information. We anticipated that the service would result in less confusing completion of interLATA calls for customers, network efficiencies based on the reduction in the number of operator calls required for the end user to complete calls, and access to the end user's carrier of choice in cases where the originating telephone blocks direct access to the preferred IXC.

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Prior to April 1, 1991 (the effective date of OTS in the interstate jurisdiction), Southern Bell operators instructed the end user attempting to complete a "0-" interLATA call to hang up and dial "00-" or to dial his IXC customer service number for assistance. Since April 1, 1991, the Southern Bell operator has transferred "0-" calls with an interLATA request to the end user's preferred carrier, if the preferred carrier subscribes to OTS. Southern Bell did not collect revenues for intrastate OTS until intrastate OTS became effective on June 17, 1991.

On July 19, 1991, One Call Communications, Inc./Opticom, an AOS company, filed a Motion for Extension of Time to protest Southern Bell's tariff filing, and subsequently withdrew its motion with the understanding that we were planning to open this Docket to investigate the implementation of OTS. We held a workshop for all parties and interested persons regarding this Docket on October 29, 1991, and have limited the instant investigation to the implementation of OTS. Issues regarding compensation to payphone providers were considered on December 6, 1991, in a workshop addressing presubscribed carrier dial-around.

While Order No. 24698 allows Southern Bell to transfer interLATA "0-" calls to carriers designated by the end user, Order No. 20489 expressly states that "The LEC shall take the local inquiry and service calls, as well as the intraLATA calls, but shall return the interLATA calls to the presubscribed carrier of the phone being used to make the call". Thus, the later Order would allow the end user to determine which carrier takes the call, while the earlier Order would allow only the subscriber of the access line to select the carrier for the call. Our review of Southern Bell's OTS tariff did not address this apparent conflict.

Upon review, we find that the end user's choice of carrier shall take precedence over the subscriber's choice of presubscribed carrier. This is consistent with our policy of "billed party preference." The end user's choice shall take precedence not only in cases where the end user requests a specific carrier, but also in cases where the end user requests expeditious routing of a call and in cases where the end user expresses dissatisfaction with the presubscribed carrier. We find the automatic routing of "0-" interLATA calls to the presubscribed carrier to be an obsolete policy due to the technological advances made in the area of LEC call transfer capability. We note that OTS does not preclude the

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presubscribed carrier from carrying the call, since the presubscribed carrier can subscribe to OTS.

In weighing the concerns of the end user and the subscriber of the originating access line, we have found that the end user's concerns should take precedence. However, if the end user indicates that he has no preferences and does not object to following procedures for redialing the call, then the subscriber's preferences should be honored. Thus, we find that Southern Bell shall return "0-" dialed interLATA calls to the presubscribed carrier in those instances where the end user does not have a clear carrier preference or does not request direct transfer.

To this end, we find that Southern Bell shall use the following scripts as guidelines for "0-" interLATA calls:

Script 1: End user has no preference, agrees to dial "0+" or "00-"

End user: "Operator, I'd like to place a call to Wyoming."
 LEC Operator: "I'm sorry, but that is not a Southern Bell call. Do you know which long distance company you want to use?"
 End user: "No."
 LEC Operator: "Please hang up and dial "0" plus the area code and the number you want to reach, or dial "00" for assistance."
 End user: "Thank you." (end user hangs up)

Script 2: End user has no preference, but insists on being put through to another carrier

End user: "Operator, I'd like to place a call to Wyoming".
 LEC Operator: "I'm sorry, but that is not a Southern Bell call. Do you know which long distance company you want to use?"
 End user: "No."
 LEC Operator: "Please hang up and dial "0" plus the area code and the number you want to reach, or dial "00" for assistance."
 End user : "Can't you put me through directly?"
 LEC Operator: "No, but I can have your call transferred to one of the following long distance companies: Carrier X, Carrier Y, etc. Do you have a choice among those

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just listed?" (If the end user chooses a carrier, the operator places the call. If the end user fails to choose, the operator once again refers them to "0+" and "00-")

Script 3: End user has a preference for an OTS subscribing carrier, operator transfers the call

End user: "Operator, I'd like to place a call to Wyoming."
LEC Operator: "I'm sorry, but that is not a Southern Bell call. Do you know which long distance company you want to use?"
End user: "Yes, I'd like XYZ Long Distance."
LEC Operator: "Please hold while I transfer your call."

Script 4: End user has a preference for a non-OTS subscribing carrier

End user: "Operator, I'd like to place a call to Wyoming".
LEC Operator: "I'm sorry, but that is not a Southern Bell call. Do you know which long distance company you want to use?"
End user: "Yes, I'd like ABC Long Distance."
LEC Operator: "I'm sorry, but I cannot transfer your call to that long distance company. Please hang up and dial your company's customer service number."
End user: "Thank you" (end user hangs up)

Script 5: End user has a preference for a non-OTS subscribing carrier, insists on being put through to another carrier

End user: "Operator, I'd like to place a call to Wyoming".
LEC Operator: "I'm sorry, but that is not a Southern Bell call. Do you know which long distance company you want to use?"
End user: "Yes, I'd like ABC Long Distance."
LEC Operator: "I'm sorry, but I cannot transfer your call to that long distance company. Please hang up and dial that company's customer service number. "
End user: "Isn't there any other company you could put me through to?"
LEC Operator: "You may select one of the following long-distance companies: Company X, Company Y, etc., or you could

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complete the call yourself by hanging up and dialing "0" plus the area code and the number."

Script 6: End user has preference for a non-OTS subscribing carrier, requests information on how to reach their preferred carrier

End user: "Operator, I'd like to place a call to Wyoming".
 LEC Operator: "I'm sorry, but that is not a Southern Bell call. Do you know which long distance company you want to use?"
 End user: "Yes, I'd like ABC Long Distance."
 LEC Operator: "I'm sorry, but I cannot transfer your call to that carrier. Please hang up and dial your carrier's customer service number."
 End user: "Do you have that number?"
 LEC Operator: "You may obtain that number by calling 411 for assistance, or refer to the telephone directory."

We recognize that, while OTS is in the best interest of the calling public, not all LECs are prepared to offer the service at this time. Thus, the LECs shall not be required to offer the service pursuant to a specific schedule. However, each LEC shall be required to either file an OTS tariff or a study justifying the inability of the LEC to offer OTS. The study should also include the changes necessary to enable such LEC to provide OTS. Such filings shall be submitted no later than April 1, 1992. The only exception to this requirement is Southern Bell which currently has an intrastate OTS offering.

While a decision was necessary at this time in order to balance the interests of end users, subscribers, and the industry, not all issues relating to the implementation of Operator Transfer Service have been addressed in this Order. This Docket shall remain open until we can fully investigate the costs for LEC switches to recognize the presubscribed carrier of "0-" dialed calls and represent that information to the LEC operator. In the event that such costs are found to be minimal, we may want to reevaluate the operator guidelines to be used when an end user expresses no carrier preference.

Based upon the foregoing, it is

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ORDERED by the Florida Public Service Commission that each and every finding set forth herein is approved in every respect. It is further

ORDERED that Order No. 24698 takes precedence over Order No. 20489 regarding the disposition of "0-" interLATA calls. It is further

ORDERED that "0-" interLATA calls be returned to the presubscribed carrier when the end user does not have a clear carrier preference or does not request direct transfer. It is further

ORDERED that Southern Bell shall implement the guidelines set forth in the body of this Order within 60 days of the effective date of this Order. It is further

ORDERED that, by April 1, 1992, all remaining local exchange companies shall be required to submit a tariff to provide Operator Transfer Service or to submit a study as described in the body of this Order. It is further

ORDERED that this Docket shall remain open so that we may further investigate issues regarding the costs associated with direct transfer of "0-" interLATA calls to the presubscribed carrier of the originating access line.

By ORDER of the Florida Public Service Commission, this 13th
day of JANUARY, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on 2/3/92.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water 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 of the effective date 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.