

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rules ) DOCKET NO. 920363-TP  
25-4.076, F.A.C., Pay )  
Telephone Service Provided ) ORDER NO. PSC-92-1211-NOR-TP  
By Local Exchange Companies; )  
25-24.511, F.A.C., ) ISSUED: 10/26/92  
Application For Certificate; )  
and 25-24.515, F.A.C., Pay )  
Telephone Service (Provided )  
By Other Than The Local )  
Exchange Company). )

NOTICE OF RULEMAKING

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to amend Rules 25-4.076, 25-24.511, 25-24.515, F.A.C., relating to Pay Telephone Service Provided by Local Exchange Companies; Application for Certificate; and Pay Telephone Service (Provided by Other than the Local Exchange Company).

The attached Notice of Rulemaking will appear in the October 30, 1992 edition of the Florida Administrative Weekly. If requested, a hearing will be held at the following time and place:

9:30 a.m., Wednesday, December 9, 1992  
Room 122, Fletcher Building  
101 East Gaines Street  
Tallahassee, Florida 32399

Written requests for hearing and written comments or suggestions on the rules must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, FL 32399, no later than November 20, 1992.

By direction of the Florida Public Service Commission this 26th day of October, 1992.

  
STEVE TRIBBLE, Director  
Division of Records & Reporting

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 920363-TP

RULE TITLE:

RULE NO.:

Pay Telephone Service Provided By Local  
Exchange Companies

25-4.076

PURPOSE AND EFFECT: The purpose of the proposed revision concerning exemptions for confinement facilities is to codify the Commission's existing policy of routinely granting extensions on a case by case basis. This should reduce the administrative burden on pay telephone providers to obtain exemptions.

The purpose of the revision pertaining to equal access dialing are necessary to clarify the Commission's equal access policy for pay telephones. This should reduce the amount of confusion that may exist as to these requirements.

The purpose of the revision regarding the granting of certificates is to help the Commission in enforcing its rules, especially with chronic rule violators. It has the effect of placing the burden on the applicant to show that granting of multiple certificates is in the public interest.

The purpose of the revisions regarding logos on payphones and timeout warnings is to give consumers proper notice and information. The effect will be a better informed public.

SUMMARY: These revisions address some of the requirements under which telephone companies are permitted to provide pay telephone

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REGISTRATION DEPARTMENT

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service in Florida. The revisions pertain to specialized treatment for confinement facilities, equal access requirements, discretion in the granting of certificates, paystation identification requirements, and paystation automatic timeout requirements.

RULEMAKING AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 364.03, F.S.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., December 9, 1992

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-4.076 Pay Telephone Service Provided By Local Exchange Companies.

- (1) No Change.
- (2) No Change.
- (3) No Change.
- (4) Each telephone station shall be equipped with a legible

sign, card or plate of reasonable permanence which shall identify the following: the telephone number and location address of such station, the name of the certificate holder or recognizable logo of the owner and the party responsible for repairs or refunds, free telephone number of responsible party and clear dialing instructions (including notice of the lack of availability of local or toll service). The identification of the location address for local exchange and pay telephone companies shall be coordinated with the appropriate "911" or emergency center where applicable. For those paystations that will terminate conversation after (15) minutes, notice shall be included on the sign card as well as an audible announcement 30 seconds prior to termination of the phone call.

(5) Each telephone station which provides access to any long distance carrier company shall must provide coin free access, except for feature group A access, to all locally available interexchange long distance companies regardless of which form of access is available. For pay stations in equal access areas, such access shall be provided through the forms of access purchased by locally available long distance carriers and shall include 10XXX+0, 950 and 800 access. For those pay stations located in non-equal access areas, 00 shall directly access the AT&T operator. Where 00 is not available, 0- to the LEC operator shall be transferred upon request to an AT&T operator, and the instruction card shall so

indicate.

(6) Each telephone station shall ~~must~~ allow incoming calls to be received, with the exception of those located at penal institutions, hospitals and schools, and at locations specifically exempted by the Commission. There shall be no charge for receiving incoming local calls. Where incoming calls are not received, intercept shall be provided.

(7) No Change.

(8) No Change.

(9) No Change.

(b) No Change.

(c) No Change.

(10) No Change.

(11) Pay stations located in confinement facilities shall be exempt from the requirements of above subsections (1), (3), (5), and (7). Such pay stations shall also be exempt from the requirements of subsection (4), except for the audible and written 15 minute disconnect notification.

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

Law Implemented: 364.03, F.S.

History: New 12/1/68, Amended 3/31/76, formerly 25-4.76, Amended 1/5/87, 4/14/92, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela Johnson, Division of Communications

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NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULE:  
Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: October 6, 1992

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting at (904) 488-8371 at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 920363-TP

RULE TITLE:

RULE NO.:

Application For Certificate

25-24.511

Pay Telephone Service (Provided By Other

Than The Local Exchange Company)

25-24.515

PURPOSE AND EFFECT: The purpose of the proposed revision concerning exemptions for confinement facilities is to codify the Commission's existing policy of routinely granting exentions on a

case by case basis. This should reduce the administrative burden on pay telephone providers to obtain exemptions.

The purpose of the revision pertaining to equal access dialing are necessary to clarify the Commission's equal access policy for pay telephones. This should reduce the amount of confusion that may exist as to these requirements.

The purpose of the revision regarding the granting of certificates is to help the Commission in enforcing its rules, especially with chronic rule violators. It has the effect of placing the burden on the applicant to show that granting of multiple certificates is in the public interest.

The purpose of the revisions regarding logos on payphones and timeout warnings is to give consumers proper notice and information. The effect will be a better informed public.

**SUMMARY:** These revisions address some of the requirements under which telephone companies are permitted to provide pay telephone service in Florida. The revisions pertain to specialized treatment for confinement facilities, equal access requirements, discretion in the granting of certificates, paystation identification requirements, and paystation automatic timeout requirements.

**RULEMAKING AUTHORITY:** 350.127(2), F.S.

**LAW IMPLEMENTED:** 364.32, 364.33, 364.335, 364.337, 364.3375, 364.345, 364.03, 364,035, 364.063, F.S.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE

SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., December 9, 1992

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULES ARE:

25-24.511 Application for Certificate.

(1) No Change.

(2) No Change.

(3) No Change.

(a) No Change.

(b) No Change.

(4) A certificate will be granted if the Commission determines that grant of the application is in the public interest. One certificate per applicant will be granted unless the applicant shows that granting of additional certificates is in the public interest. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily cancelled unless the applicant shows that granting of the new certificate is in the

public interest.

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

Law Implemented: 364.32, 364.33, 364.335, 364.337, 364.3375,  
364.345, F.S.

History: New 1/5/87. Amended 9/28/89, 4/8/91, 11/20/91, \_\_\_.

25-24.515 Pay Telephone Service.

(1) No Change.

(2) No Change.

(3) No Change.

(4) No Change.

(5) (5) Each telephone station shall be equipped with a legible sign, card or plate of reasonable permanence which shall identify the following: telephone number and location address of such station, name of the certificate holder ~~or recognizable logo of the owner~~ and the party responsible for repairs and refunds, address of responsible party, free phone number of responsible party, clear dialing instructions (including notice of the lack of availability of local or toll services), and, where applicable, a statement that the phone is not maintained by the local exchange company. For those pay stations that will terminate conversation after fifteen (15) minutes, notice shall be included on the sign card as well as an audible announcement thirty (30) seconds prior to termination of the phone call.

(6) Each telephone station which provides access to any

interexchange company shall ~~must~~ provide coin free access, except for feature group A access, to all locally available interexchange companies. For pay stations in equal access areas, such access shall be provided through the forms of access purchased by locally available long distance carriers and shall include 10XXX+0, 950, and 800 access. For those paystations located in non-equal access areas, 102880 may be translated to 00 to directly access AT&T. Otherwise, in non-equal access areas, 00 shall directly route to an AT&T operator and the instruction card shall so indicate. Where 00 is not available, 0- shall route to the LEC operator for transfer to AT&T and the instruction card shall so indicate.

(7) 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.

(8) (7) Each telephone station must allow incoming calls to be received, with the exception of those located at confinement facilities ~~penal institutions~~, hospitals and schools, and at locations specifically exempted by the Commission. Where incoming calls are not received, intercept shall be provided. There shall be no charge for receiving incoming local calls.

(9) (8) Each telephone station must be connected as provided in the pay telephone access tariff offered by the local exchange company.

(10) ~~(9)~~ The charge for calls may not exceed the rates shown in the local exchange company Pay Telephone Access Tariff.

(11) ~~(10)~~ (a) Each pay telephone service company shall make all reasonable efforts to minimize the extent and duration of interruptions of service. Service repair programs should have as their objective the restoration of service on the same day that the interruption is reported to the company. (Sundays and holidays excepted).

(b) No Change.

(12) ~~(11)~~ Where there are fewer than three telephones located in a group, a directory for the entire local calling area shall be maintained at each station. Where there are three or more telephones located in a group, a directory for the entire local calling area shall be maintained at every other station. However, where telephone stations are fully enclosed, a directory shall be maintained at each station.

(13) ~~(12)~~ Normal maintenance and coin collection activity shall include a review of the cleanliness of each station and reasonable efforts shall be made to ensure that 95% of all stations are clean and free of obstructions.

(14) ~~(13)~~ Except as provided in subsections (14) ~~(13)~~(a), (14) ~~(13)~~(b), and (14) ~~13~~ (c) below, each telephone station installed after January 5, 1987 shall conform to subsections 4.29.2 - 4.29.4 and 4.29.7 - 4.29.8 of the American National Standards

Specifications for Making Buildings and Facilities Accessible and Usable by Physically Handicapped People, approved February 5, 1986 by the American National Standards Institute, Inc. (ANSI A117.1-1986), which is incorporated by reference into this rule. Each telephone station installed prior to January 5, 1987 shall conform to the above standards by January 1, 1995.

- (a) No Change.
- (b) No Change.
- (c) No Change.

(15) ~~(14)~~ Effective September 1, 1992, each telephone shall permit end users to input the additional digits necessary to complete calling card calls, using any locally available carrier, without operator intervention, and to utilize features such as voice mail box and menu driven answering devices. This requirement shall not be applicable to pay telephones located in confinement facilities.

(16) Pay stations located in confinement facilities shall be exempt from the requirements of above subsections (1), (3), (4), (6), and (12). Such pay stations shall also be exempt from the requirements of subsection (5), except for the audible and written 15 minute disconnect notification.

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

Law Implemented: 364.03, 364.035, 364.063, 364.337, 364.345, F.S.

History: New 1/5/87, Amended 4/14/92, \_\_\_\_\_.

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NAME OF PERSON ORIGINATING PROPOSED RULES: Pamela Johnson,  
Division of Communications

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULES:  
Florida Public Service Commission.

DATE PROPOSED RULES APPROVED: October 6, 1992

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must

ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting at (904) 488-8371 at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).