

STATE OF ALASKA

THE ALASKA PUBLIC UTILITIES COMMISSION

Before Commissioners:

Sam Cotten, Chairman
Alyce A. Hanley
Dwight D. Ornquist
Tim Cook
James M. Posey

In the Matter of the Repeal and)
Modification of Regulations Governing) R-97-7
the Competitive Provision of)
Statewide Directory Assistance) ORDER NO. 1
_____)

**ORDER ISSUING PROPOSED AMENDMENTS
TO REGULATIONS FOR COMMENT AND
ESTABLISHING HEARING AND FILING SCHEDULE**

BY THE COMMISSION:

By Order R-89-2(16), dated October 29, 1993, the Commission adopted regulations governing the provision of statewide directory assistance (DA) and provided for the establishment of a single statewide directory assistance bureau.¹ Those regulations were adopted as 3 AAC 53.610 - 3 AAC 53.660 and became effective on May 24, 1995.

On February 8, 1996, the Telecommunications Act of 1996 (the Act) became law. The Act adopts a procompetitive, deregulated national policy framework for the telecommunications

¹The Commission has never initiated a competitive certification proceeding to select a directory assistance bureau.

industry in the United States. Specifically, Section 253(a) [Removal of Barriers to Entry] of the Act states:

No State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.

The Commission has concluded that the provision of directory services through a monopoly statewide directory assistance bureau is inconsistent with the competitive framework envisioned by the Act. Therefore, the purpose of this proceeding is to repeal its current DA regulations and adopt alternative regulations which will establish a procompetitive DA structure.

Directory Assistance Bureaus

The proposed regulations provide for the establishment of DA bureaus that would be permitted to provide local DA (411) and/or intrastate DA (555-1212) for local exchange carriers (LECs) and interexchange carriers (IXCs) that choose not to provide their own DA. Before providing service under contract to an IXC or LEC, a DA bureau would be required to obtain a certificate of public convenience and necessity from the Commission. After a DA bureau is certificated, it would be required to maintain a current database of telephone subscribers (except nonpublished numbers) applicable to the company or companies it is serving;² provide

²If a DA bureau contracts with an IXC, it must include in its database all telephone subscribers in the state and not just

rates to IXCs and LECs that are unbundled from transport costs and assessed on a per-message inquiry basis; use subscriber data only for the provision of DA service as provided for under the regulations (i.e., on a per-call basis with a two listing limit per call); provide the Commission with a current list of customers (i.e., IXC(s) and/or LEC(s)); and maintain certain service standards and reporting requirements.

Local Exchange Carriers

Under the proposed regulations, any LEC may self-provide local DA to its customers; but, if it chooses not to, it must contract with a DA bureau for provision of local DA service. LECs must provide subscriber data, on a tariffed basis, to self-providing IXCs and DA bureaus furnishing statewide DA service.

Interexchange Carriers

Under the proposed regulations, any IXC may self-provide intrastate DA to its customers similar to the authority granted to LECs. However, if the IXC chooses not to self-provide, it must contract with a DA bureau for provision of intrastate DA service.

Free-Call Allowance

LECs and IXCs must provide subscribers with two free DA calls per month. Additionally, LECs and IXCs must provide DA

customers of that particular IXC.

calls to public payphone users and persons with a disability free of charge. LECS must provide 60 days of complimentary intercept service³ when a customer relocates within a local calling area and is issued a new telephone number.

Service Quality Standards

DA bureaus, self-providing IXCs, and self-providing LECs must provide service on a continuous basis and have an answering time objective of 10 seconds for 85 percent of calls. New and updated subscriber information must be available to DA customers from DA operators within six working days of the date the subscriber information is reported to the LEC.

Reporting Requirements

DA bureaus, self-providing IXCs, and self-providing LECs must submit monthly summaries of answering time studies to the Commission after the end of each calendar quarter.

Comments

The Commission seeks comment on whether the proposed regulations are in compliance with the Act and Federal Communication Corporation rules. In particular, the Commission seeks comment on whether the deregulatory structure goes far enough. For example:

³Intercept service involves the provision of a prerecorded message identifying a relocated customer's new telephone number.

1. Should DA bureaus be registered rather than certificated?

2. Should DA bureaus be limited to providing service through LECs and IXC's or should they also be allowed to provide service directly to end-users through, for example, an 800 or 900 number?

3. Should use of subscriber information be limited to only the provision of directory assistance as it is traditionally provided (i.e., through the use of operators) rather than through, for example, Internet database access?

4. Should DA bureaus be required to tariff their services as proposed and charge on a per message basis or should more flexible rate structures and filing requirements be allowed?

Format of Filings

The Commission directs commenters to include a summary of their comments with their filing. The Commission also requests that commenters include a diskette with their comments in IBM compatible text (.txt) format or Wordperfect for Windows 6.1 (or earlier) format.

Conclusion

Attached hereto as an Appendix are the proposed regulations that the Commission has determined should be issued for public comment. Written comments on the proposed regulations must be filed by 4 p.m., August 18, 1997. Since this is a regulation proceeding, commentors are not required to serve their comments on the other entities set out on the service list of this Order. However, interested persons may request from the Commission copies of the comments filed in this proceeding. A public hearing to receive oral comments in this proceeding will be held at 9 a.m., September 8, 1997. Persons wishing to present oral comment should file a statement of that intent by August 18, 1997.

ORDER

THE COMMISSION FURTHER ORDERS:

1. By 4 p.m., August 18, 1997, interested persons may file with the Commission written comments⁴ on, or suggested revisions to, the proposed repeal and readoption of regulations discussed in and set out in the Appendix to this Order.

⁴As discussed above, commentors are not required to serve their comments on other persons on the mailing list of this Order. Copies of filed comments may be obtained from the Commission's Records & Filing Section at the address reflected in the left margin hereof.

2. Those individuals wishing to present oral comment at the public hearing scheduled below are requested to notify the Commission of their intent by 4 p.m., August 18, 1997.

3. A public hearing⁵ in this proceeding is scheduled to convene at 9 a.m., September 8, 1997, in the Commission's hearing room at 1016 West Sixth Avenue, Suite 305, Anchorage, Alaska, for the purpose of taking public comment on the proposed regulation amendments set out in the Appendix attached hereto.

DATED AND EFFECTIVE at Anchorage, Alaska, this 8th day of July, 1997.

BY DIRECTION OF THE COMMISSION
(Commissioner Dwight D. Ornquist, not participating.)

(S E A L)

⁵If you are a person with a disability who may need a special accommodation, auxiliary aid, or service or alternative communication format in order to participate in this hearing, please contact Christy Hilde at 1-907-276-6222 or TDD 1-907-276-4533 at least two weeks before the hearing to make the necessary arrangements.