

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE

STATE OF MISSISSIPPI

DOCKET NO. 97-AD-0740 IN RE: NOTICE OF THE MISSISSIPPI

PUBLIC SERVICE COMMISSION'S

INTENT TO REVISE AND REPLACE

PREVIOUSLY APPROVED GUIDELINES

REGARDING THE USE OF CUSTOMER-

PROVIDED PUBLIC TELEPHONES

O R D E R

THIS DAY, there came on for consideration by the Mississippi Public Service Commission (Commission) its Proposed Revised Guidelines for the provision of customer-provided pay telephone service. The Commission finds, after reviewing the record and upon recommendation of the Public Utilities Staff, that its Proposed Revised Guidelines referenced in this Docket are hereby approved.

1. On April 25, 1985, this Commission in Docket U-4609 adopted guidelines governing the provision of customer-provided public telephones. On November 2, 1989, this Commission amended its Order of April 25, 1985 to delete paragraph 5 of the adopted guidelines.

2. Subsequent to the issuance of these Orders, the Telecommunications Act of 1996 (TA96) was enacted which set forth certain changes regarding public telephone service. On September 20, 1996, the Federal Communications Commission (FCC) entered an Order in FCC Docket No. 96-128 and its Order on Reconsideration on November 8, 1996, implementing the changes set forth in TA96.

3. The Commission finds that it is necessary and in the public interest to revisit its previously adopted guidelines in light of the subsequent changes referenced above.

4. The Commission finds that the Executive Secretary of the Commission did furnish a copy of the Commission's Order creating this Docket to all providers of customer-provided public telephones and to all telecommunications carriers.

5. The Commission further finds that said companies were given an opportunity

to file comments and proposed guidelines no later than December 1, 1997. The Commission finds that no company or individual filed any comments or any proposed guidelines in this proceeding.

6. The guidelines listed below, for the provision of customer-provided pay telephone service, are hereby adopted by this Commission in the interest of the public, and so that Mississippi will be in compliance with the provisions of TA96 and the FCC Orders discussed supra:

(1) All customer-provided payphones must be registered and connected to the local exchange service provider's network in compliance with Part 68 of the FCC Rules and Regulations.

(2) Each payphone must comply with all requirements involving the hearing impaired and handicapped persons.

(3) All currently existing or newly installed payphones must be in full compliance with the National Electrical Safety Code.

(4) All payphones must comply with existing Commission rules and regulations relating to the provision of customer-provided pay telephone service.

(5) All providers of local exchange service must furnish in the format attached hereto as Exhibit "A", to the Executive Director of the Mississippi Public Utilities Staff, and on a quarterly basis, a listing of all telephone numbers assigned to all customer-provided public telephone access lines provided by them.

(6) The subscriber (the party who is billed for the access line) will be responsible for the directory assistance service charges billed to them by the local exchange service provider.

(7) Callers must be able to access an operator and 911 services at no charge.

(8) All of the following information must be clearly displayed on the front of each payphone and in the manner listed below:

- All operating instructions;
- Operator assistance and 911 emergency numbers;
- All charges for local calls and directory assistance calls;
- Name, address and telephone number of the entity or individual who can render assistance to the caller when the payphone malfunctions;
- Procedures for a caller to obtain a refund from the subscriber; and
- Notification of any time limitations which may apply.

(9) Each payphone must be able to return coins to the caller for any incompletd calls.

(10) The owner of each payphone will be responsible for timely repairs to its payphones.

(11) There must exist an announcement or tone of the time limitation which exists on calls which must sound thirty (30) seconds prior to disconnection. The minimum time limit shall be no less than three (3) minutes.

(12) A subscriber must order a separate access line for each payphone installed and will be billed the tariffed rate for each such access line.

(13) If a subscriber violates any tariff, Commission rule pertaining to customer-provided public telephone service, or the guidelines adopted by this Commission and fails to correct any deficiencies within ten (10) calendar days from receiving notification of such violation by this Commission, all access lines will be subject to disconnection of service.

(14) Owners of payphones must provide local telephone directories for each access line capable of completing local calls.

7. The Commission finds that these Revised Guidelines will replace all previously adopted Guidelines concerning this issue.

IT IS THEREFORE ORDERED, that the proposed Guidelines for the provision of customer-provided pay telephone service referenced herein are adopted by this Commission.

IT IS FURTHER ORDERED, that the Executive Secretary of this Commission shall furnish a copy of this Order to all providers of customer-provided public telephones and to all telecommunications carriers.

IT IS FURTHER ORDERED, that this Order shall be effective upon its issuance.

Chairman Nielsen Cochran voted ____; Vice-Chairman Bo Robinson voted ____; Commissioner George Byars voted ____.

SO ORDERED on this the ____ day of December, 1997.

MISSISSIPPI PUBLIC SERVICE COMMISSION

Nielsen Cochran, Chairman

Bo Robinson, Vice-Chairman

George Byars, Commissioner

ATTEST: A True Copy

BRIAN U. RAY

Executive Secretary