

**BEFORE THE
LOUISIANA PUBLIC SERVICE COMMISSION**

GENERAL ORDER

(Amends and Supplements the General Order dated April 21, 1998)

Louisiana Public Service Commission, ex parte

In Re: Consideration of new Order following Review of LPSC General Orders dated January 8, 1998 and Commission General Order dated November 25, 1996, Section 1201(B) 1 & 2 dealing with the unauthorized switching of long distance and local services.

(Decided at the May 20, 1998 Open Session)

On March 20, 1998, the Commission published in Bulletin No. 641 that Docket No. U-23148 had been opened to consider LPSC General Orders dated January 8, 1998 and Commission General Order dated November 25, 1996, Section 1201(B) 1 & 2 dealing with the unauthorized switching of long distance and local services. Comments were taken from any interested party. The Orders and comments were reviewed and a new slamming order was drafted. Staff recommended the adoption of this order in its entirety at the April 15, 1998 Business and Executive Session. Commissioners Field and Owen offered amendments to the proposal which the Commission then voted to accept the proposal as amended as the new slamming order.

On May 20, 1998, Sprint, BellSouth and MCI moved for reconsideration of the Slamming Order. Staff met with the parties to discuss their respective motions for reconsideration. Following that meeting, Staff proposed some additions, changes and clarifications to the Order. Consequently, Sprint and BellSouth withdrew their motions for reconsideration.

This matter was considered at the Commission's Open Session held on May 20, 1998. On motion of Commissioner Sittig and seconded by Commissioner Field, and unanimously adopted, the Commission voted to accept the staff recommendation by adding the following amendments and additions to the slamming order:

1. Amend Section V. D. Telemarketing Hours will be changed from 8am to 6pm to 8am to 8pm.
2. Add Section I.C.3. to read, "This order, including but not limited to the verification methods, is not intended to apply to those subscribers who are being returned to their preferred carrier following an unauthorized switch of their service, to those subscribers whose service has been suspended pursuant to the subscriber's request, to those calls requesting a modification of the existing service or to those orders requesting an initial hook up because no service is currently being provided to that phone number. This order is only intended to apply when there is a service provider change."
3. Section III.E.2.C. 1.-5. This Section will be amended to state the following:
"The independent third party verification must initially state the following points: the name of the person calling and the name of the verification company, that the person is calling to verify or confirm for the soliciting carrier (who must be named) that the customer wishes to switch to the named carrier for the named service (local, long distance etc.), that the person on the line is the decision maker/person who can change the service for the telephone number(s) and is at least 18 years old.
4. Add to Section III.D.1.c. to read, "The Executing carrier need not comply with the verification section listed in this order when the Executing carrier is complying with the regulations of Section III.D.1.a. or b."

*General Order dated
June 5, 1998
Page 1 of 16*

5. Amend Section VI.C. to state "All end-users must be given notice by the billing carrier that their preferred carrier has changed on the next bill following any provider change. The new carrier must be clearly named. The notice must be in conspicuous, easily readable, bold-face type at least as large and as dark as any other on the bill and not smaller than 12 point New Roman font. The submitting carrier, or its billing agent is responsible for requesting the notice. In the event a submitting carrier submits a logo for the bill, the logo may serve as the notice if it is conspicuous, easily readable, bold-face type at least as large and as dark as any other on the front of the bill and not smaller than 12 point New Roman font. Each bill must also include the phone number of the submitting carrier."
6. Amend Section VIII.B. to state the deadline is January, 1999 not January 1, 1999.
7. Amend Section XI.B to state "No TSP will be allowed to use any promotional offering, (the Contest, Sweepstakes or Box Method) for any service or product which is billed through a LEC, other than those identified in Section III(E)(1)(a)(2) or those tariffed by the TSP."

The Commission also voted to deny MCI's request for reconsideration. On motion of Commissioner Owen and seconded by Commissioner Field, and unanimously adopted, the Commission voted to deny MCI's motion for reconsideration, the other two requests for reconsideration, one by BellSouth and one by Sprint were withdrawn prior to the Business and Executive Session.

IT IS THEREFORE ORDERED THAT:

The following changes and additions be made to the Slamming order:

1. Amend Section V. D. Telemarketing Hours will be changed from 8am to 6pm to 8am to 8pm.
2. Add Section I.C.3. to read, "This order, including but not limited to the verification methods, is not intended to apply to those subscribers who are being returned to their preferred carrier following an unauthorized switch of their service, to those subscribers whose service has been suspended pursuant to the subscriber's request, to those calls requesting a modification of the existing service or to those orders requesting an initial hook up because no service is currently being provided to that phone number. This order is only intended to apply when there is a service provider change."
3. Section III.E.2.C. 1.-5. This Section will be amended to state the following:
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4. Add to Section III.D.1.c. to read, "The Executing carrier need not comply with the verification section listed in this order when the Executing carrier is complying with the regulations of Section III.D.1.a.or b."

5. Amend Section VI.C. to state “All end-users must be given notice by the billing carrier that their preferred carrier has changed on the next bill following any provider change. The new carrier must be clearly named. The notice must be in conspicuous, easily readable, bold-face type at least as large and as dark as any other on the bill and not smaller than 12 point New Roman font. The submitting carrier, or its billing agent is responsible for requesting the notice. In the event a submitting carrier submits a logo for the bill, the logo may serve as the notice if it is conspicuous, easily readable, bold-face type at least as large and as dark as any other on the front of the bill and not smaller than 12 point New Roman font. Each bill must also include the phone number of the submitting carrier.”
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BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA
June 5, 1998

/S/ DON OWEN
DON OWEN, CHAIRMAN
DISTRICT V

/S/ IRMA MUSE DIXON
IRMA MUSE DIXON, VICE-CHAIRMAN
DISTRICT III

/S/ C. DALE SITTIG
C. DALE SITTIG, COMMISSIONER
DISTRICT IV

/S/ JAMES M. FIELD
JAMES M. FIELD, COMMISSIONER
DISTRICT II

/S/ LAWRENCE C. ST. BLANC
SECRETARY

/S/ JACK “JAY” A. BLOSSMAN, JR.
JACK “JAY” A. BLOSSMAN, JR., COMMISSIONER
DISTRICT I

Appendix A

**LOUISIANA PUBLIC SERVICE COMMISSION
CONSUMER PROTECTION REGULATIONS FOR CHANGING
TELECOMMUNICATION SERVICE PROVIDERS**

TABLE OF CONTENTS

I.	Scope; Jurisdiction; Short Title	1
II.	Definitions	2
III.	Provider Selection and Verification	3
IV.	Record Retention Requirements	7
V.	Telemarketing Associated with PC Changes	8
VI.	Responsibility of TSPs	9
VII.	Procedures	9
VIII.	PC Freeze	10
IX.	Dispute Resolution	10
X.	Penalties	10
XI.	Miscellaneous	11
XII.	Other Laws; Severability	12