

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

Do Not Mark In this Box

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NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Public Service Commission of West Virginia TITLE NUMBER: 150

RULE TYPE: Legislative; CITE AUTHORITY SS24-1-7, 24-2-12

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 6

TITLE OF RULE BEING AMENDED: Rules and Regulations for the
Government of Telephone Utilities

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON November 30, 1987 AT 12:00 Noon. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

Howard M. Cunningham

Executive Secretary

Public Service Commission of W.Va.

P. O. Box 812

Charleston, WV 25323

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Michael D. Goss
(Signature)

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

SUMMARY OF PROPOSED RULE

The Commission has determined that the introduction of Customer Owned Coin Operated Telephones (COCOTs) are in the public interest and has proposed rules which amend the Rules and Regulations for the Government of Telephone Utilities to permit COCOTs.

The proposed rules detail certification requirements, rates and charges, operational and maintenance requirements, the information to be displayed on a COCOT and violations and penalties.

IN THE MATTER OF

Customer Owned Coin Operated Telephones

FISCAL NOTE

This is a fiscal note issued pursuant to §§24-2-12 and 24-1-7 of the West Virginia Code, relating to General Order No. 235.

I. OBJECTIVES OF THE RULE

The purposes of these rules and regulations is to introduce Customer Owned Coin Operated Telephones into the West Virginia payphone market. It is believed that competition in the payphone market will hasten the introduction of new technologies as well as increasing the potential for stimulation of the State's economy.

II. COST OF IMPLEMENTING THE PROPOSED RULESA. Cost of Implementation for the State:

There will be no implementation cost relating to this rulemaking for the State of West Virginia.

B. Cost of Implementation for Persons affected by the Proposed Rule:

The cost of implementing the proposed rule is difficult to determine at this stage of rulemaking, however it should be minimal.

III. THE EFFECT THIS MEASURE WILL HAVE ON THE COSTS OR REVENUES OF STATE GOVERNMENT Information required by fiscal notes for either House of the Legislature.)

This rulemaking will have no effect on the cost and revenues of State Government.

IV. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS

A quantifiable economic impact is difficult to predict at this time. However the Commission foresees a positive economic impact in the future because competition may lower prices in some areas.

DATE October 28, 1987 AGENCY Public Service Commission

SIGNATURE OF AUTHORIZED REPRESENTATIVE

Michael B. Gunn

TITLE 150
LEGISLATIVE RULE
PUBLIC SERVICE COMMISSION

SERIES 6
RULES AND REGULATIONS FOR
THE GOVERNMENT OF TELEPHONE UTILITIES

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§150-6-1 GENERAL

- 1.1 SCOPE -- These rules govern the operation and service of telephone utilities subject to the jurisdiction of the Public Service Commission of West Virginia pursuant to West Virginia Code §24-2-1.
- 1.2 AUTHORITY -- W.Va. Code §24-1-7, §24-2-1, §§24-2-6 and 8; §24-2C-1, §24-6-1.
- 1.3 FILING DATE -- October, 28, 1987
- 1.4 EFFECTIVE DATE --

§150-6-11 CUSTOMER OWNED COIN OPERATED TELEPHONES

11.1 CERTIFICATION REQUIREMENTS

- (1) Each Customer Owned Coin Operated Telephone (COCOT) provider shall be required to obtain a Commission certificate. When a COCOT provider applies for a certificate the applicant shall provide the information contained on 11.1 FORM A.
- (2) Each COCOT instrument must be registered with the Public Service Commission. COCOT providers must file 11.1 Form B for each COCOT instrument it places in service. There shall be an annual non-refundable twelve dollar (\$12.00) fee per instrument, or such amount that the Commission may establish in the future.

11.2 RATES AND CHARGES

- (1) COCOTs shall be required to subscribe to one party measured (or message) business service unless such service is not available from the local exchange carrier serving the COCOT.
- (2) Where one party measured (or message) business service is not available from the local exchange

carrier serving the COCOT, the COCOT shall subscribe to a one party flat business rate.

- (3) A COCOT shall charge no less than the local exchange carrier, which serves the area in which the COCOT is located, is currently charging for public telephone service, nor more than the rate ceiling on file with the Commission (11.1 Form B).
- (4) A COCOT shall charge no less than the local exchange carrier, which serves the area in which the COCOT is located, is currently charging for public telephone service, nor more than fifty cents (\$0.50) for sent-paid toll calls plus what the call costs the COCOT provider, rounded upward to the nearest five cent (\$0.05) increment. Completed calls for special services such as "900" service shall be handled in the same manner as toll calls.
- (5) A COCOT shall charge no less than the local exchange carrier which serves the area in which the COCOT is located, is currently charging for public telephone service, nor more than fifty cents (\$0.50) for toll calls made by means of credit cards, third-number billing or collect calling. A charge shall only be assessed for connected calls.
- (6) There shall be no charge for uncompleted calls.

11.3 OPERATIONAL AND MAINTENANCE REQUIREMENTS

- (1) All COCOTs shall comply with generally accepted telecommunications industry standards, Commission Rules and Regulations, applicable local ordinances and the current National Electric Code and National Electrical Safety Code.
- (2) COCOTs shall be maintained and operated in accordance with generally accepted telecommunications industry standards and Commission Rules and Regulations.
- (3) COCOTs shall be hearing aid compatible as defined by the Federal Communications Commission.

- (4) COCOTs shall have a telephone directory covering the exchanges which may be called on a local calling basis from the COCOT locale.
- (5) A COCOT user shall be able to pay for calls by using coins, credit card numbers, third number billing and collect calling.
- (6) COCOTs should enable the user, at a minimum, to use nickel, dime and quarter coins in any combination totalling at least the amount owed, as payment.
- (7) COCOTs shall automatically return unused coins, but need not provide change for over-payment due to use of coins of greater denomination than required.
- (8) A COCOT shall be capable of receiving incoming calls without charge to the answering party and be equipped with working ringers or equivalent audible signalling devices unless the COCOT is conspicuously marked as being unable to receive incoming calls.
- (9) COCOTs shall be equipped with tone signalling.
- (10) COCOT instruments shall be registered with the Federal Communication Commission pursuant to the provisions of 47 CFR Part 68.
- (11) COCOTs shall fully participate in E911 programs when the COCOT is located in a service area covered by an E911 system.
- (12) COCOT users shall be able to reach, without charge or use of a coin,
 - (a) "0" Operator
 - (b) "911"
 - (c) "Local" directory assistance
 - (d) "800" telephone numbers
- (13) All coinless emergency telephone calls made from a COCOT shall be routed to a local telephone network.

11.4 INFORMATION TO BE DISPLAYED ON A COCOT

(1) The following information shall be conspicuously displayed on each COCOT:

(a) Operating instructions, including how to place toll calls over the facilities of the interexchange carrier serving the COCOT's location.

(b) Rates for various services offered by the COCOT.

(c) The party to contact and the telephone number for refunds and service complaints.

(d) The COCOT provider's name, address, telephone number and Public Service Commission registration number.

11.5 VIOLATIONS AND PENALTIES

Unauthorized COCOT providers and/or COCOT providers who are providing service not in accordance with any of the above prescribed rules and regulations shall be subject to the penalties imposed by State law or Commission Rules and Regulations.

111.1 Form A

CERTIFICATE APPLICATION FOR
CUSTOMER OWNED COIN OPERATED TELEPHONES

1. Business Name _____

Business Address _____

Business Telephone Number () _____

2. Please list the toll free telephone number and address to use for complaints and/or refund requests.

Name _____

Address _____

Telephone Number () _____

3. Please list name, address and telephone number of person to be contacted by Public Service Commission for regulatory matters.

Name _____

Address _____

Telephone Number () _____

11.1 FORM B

REGISTRATION FORM FOR
CUSTOMER OWNED COIN OPERATED TELEPHONES

A registration form is required for each COCOT instrument.

1. Location of COCOT _____
Address _____

2. Type of COCOT set:
3. Is the COCOT _____ indoor _____ outdoor
if outdoor, _____ booth _____ open
4. Describe the service(s) provided by this COCOT.
5. List the rate ceilings for each service.
6. Will the services of this COCOT be leased to another entity for resale? _____ yes _____ no.
If yes, list business name, address and telephone number of leasee.
Business name _____
Business address _____

- Business telephone Number () _____