

**Docket No. UT-991922**

**WAC 480-120-052**  
**Prepaid calling services**

**WAC 480-120-058**  
**Protection of customer prepayments**

**CR-102 Proposed Draft - Clean**  
(For consideration at the November 5, 2001, CR-102 Open Meeting)

**October 10, 2001**

1 **WAC 480-120-052 Prepaid calling services.**

2 (1) For the purposes of this section, prepaid calling services (PPCS) means any  
3 transaction in which a customer pays for service prior to use and applies only to those  
4 services where the number of available minutes decreases as the customer uses the  
5 service. Prepaid calling services do not include flat-rated basic local service that is  
6 billed in advance of use.

7 (a) PPCS may require the use of an access number or authorization code.

8 (b) This section excludes credit cards and cash equivalent cards. Services  
9 provided at pay telephones using these cards are regulated under the provisions of  
10 WAC 480-120-138.

11 (2) PPCS providers must provide customers a without-charge telephone number  
12 staffed by personnel capable of responding to:

13 (a) Technical problems or questions related to their service twenty-four hours a  
14 day, seven days a week; and

15 (b) General account-related questions during regular business hours.

16 (3) Billing requirements for PPCS.

17 (a) A PPCS provider may charge only for the actual time a circuit is open for  
18 conversation. The price list or tariff and presale document must define billing  
19 increments. The provider must not round up the length of conversation time for less  
20 than a full billing increment beyond that full increment.

21 (i) If a PPCS provider uses an increment based on a time measurement,  
22 the increment must not exceed one minute.

23 (ii) If a PPCS provider bills usage in "unit" measurements, it must clearly  
24 define units using both equivalent dollar amounts and time measurement. Unit billing  
25 increments cannot exceed the equivalent one minute rate.

26 (b) At the customer's request, a PPCS provider may add additional time to an  
27 existing account in exchange for an additional payment at a rate not to exceed those on  
28 file with the commission. The PPCS provider must inform the customer of the new rates  
29 at the time of the recharge request.

30 (4) PPCS providers must maintain the following call-data for a minimum of  
31 twenty-four months:

32 (a) Dialing and signaling information that identifies the inbound access number  
33 called or the access identifier;

34 (b) The number of the originating phone when the information is passed to the  
35 PPCS provider;

36 (c) The date and time the call was originated;

37 (d) The duration or termination time of the call;

38 (e) The called number; and

39 (f) The personal identification number (PIN), or account number.

40 (5) Disclosure requirements – Prepaid calling services.

41 (a) A PPCS provider must disclose, prior to the sale, the following information:

42 (i) The PPCS provider's name as registered with the commission;

43 (ii) The "doing business as" name as registered with the commission, if  
44 applicable;

45 (iii) The maximum charge per billing increment. A PPCS provider

46 charging varying rates for intrastate and interstate calls must provide all applicable  
47 rates. The rates disclosed must be no more than those in its price list or tariff on file  
48 with the commission at the time of purchase;

49 (iv) Charges for all services, including any applicable surcharges, fees, or  
50 taxes, and the method of application;

51 (v) Expiration date, if applicable. If a card expires after a set period of time  
52 from activation, the PPCS provider must specify the expiration date on the card. If an  
53 expiration date is not disclosed on the card it will be considered unexpired indefinitely;  
54 and

55 (vi) Recharge policy, if applicable. If a PPCS provider does not disclose  
56 the expiration date at the time service is recharged, the service will be considered  
57 unexpired indefinitely.

58 (b) A PPCS provider must disclose, at the time of purchase, the following  
59 information:

60 (i) The without-charge telephone number(s) a customer may use to  
61 resolve technical problems, service-related questions, and general account-related  
62 questions; and

63 (ii) Authorization code, if required, to access the service or, if applicable,  
64 the without-charge telephone number used to establish access capability.

65 (c) If the PPCS provider is not the entity that packages the services for sale to  
66 the public, it must require the company that does so, through a written agreement, to  
67 comply with the disclosure requirements of this section.

68 (6) Time of use disclosure requirements.

69 (a) The PPCS provider must:

70 (i) Announce at the beginning of each call the time remaining on the  
71 prepaid account or prepaid calling card;

72 (ii) Announce the time remaining at least one minute before the prepaid  
73 account balance is depleted; and

74 (iii) Provide the commission's toll-free number and address to dissatisfied  
75 customers as required by WAC 480-120-101.

76 (7) When a PPCS provider has failed to provide service at rates disclosed prior to  
77 the sale or quoted at the time an account is recharged, or the PPCS provider has failed  
78 to meet performance standards, it must provide refunds for any unused service or  
79 provide equivalent service credit when requested by a customer. Refunds or credits  
80 must equal the value remaining on the prepaid calling account. The customer may  
81 choose either the refund or equivalent service credit option.

82 (8) Performance standards for prepaid calling services. Each PPCS provider  
83 must ensure that:

84 (a) Customers can complete a minimum of ninety-eight percent of all call  
85 attempts to the called party's number. The PPCS provider will consider any busy  
86 signals or unanswered calls as completed calls.

87 (b) Customers can complete a minimum of ninety-eight percent of all call  
88 attempts to the PPCS provider. The PPCS provider will not consider any busy signals  
89 or unanswered calls as completed calls.

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92 **WAC 480-120-058 Protection of customer prepayments.**

93 As a precondition to registration, the commission may require a telecommunications  
94 company to file a performance bond sufficient to cover any prepayments it may collect  
95 from its customers, or order that such prepayments be held in escrow or trust, as stated  
96 in RCW 80.36.350.