



PROPOSED RULE MAKING (RCW 34.05.320)

SERVICE DATE

SEP 28 1990

CR-102 (7/1/89)

Agency: WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

- Original Notice
Supplemental Notice to WSR
Continuance of WSR

(a) Title of rule: (Describe Subject) WAC 480-120-021, -106, -138, and -141 relating to telecommunication companies--the glossary, alternate operator services, pay telephones, and form of bills. The proposed amendatory sections are attached as Appendix A, Docket No. UT-900726. Written and/or oral submissions may also contain data, views, and arguments

Purpose: concerning the effect of the proposed amendatory sections on economic values, pursuant to chapter 43.21H RCW.

Other identifying information: See short explanation

(b) Statutory authority for adoption: RCW 80.01.040

Statute being implemented: Chapter 80.36 RCW

(c) Summary: See short explanation

Reasons supporting proposal:

Table with 3 columns: Name of Agency Personnel Responsible For, Office Location, Telephone. Rows include Drafting (PAUL CURL, Secretary), Implementation, and Enforcement.

(e) Name of proponent (person or organization): WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION. Options: Private, Public, Governmental.

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization as reflected in RCW 80.01.040.

(g) Is rule necessary because of: Federal Law? Federal Court Decision? State Court Decision? Yes/No options and citation field.

(h) HEARING LOCATION: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive SW, Olympia, WA. Date: December 12, 1990. Time: 9:00 a.m. Submit written comments to: Paul Curl, Secretary, 1300 S. Evergreen Park Drive SW, Olympia, WA. By (date): 10/19/90

DATE OF INTENDED ADOPTION: December 12, 1990

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SEP 19 1990

TIME

WSR

NAME (TYPE OR PRINT)

PAUL CURL

SIGNATURE

Handwritten signature of Paul Curl

TITLE

Secretary

DATE

9/19/90

(COMPLETE REVERSE SIDE)

00273

**(j) Short explanation of rule, its purpose, and anticipated effects:**

These rule changes expand the AOS definition to include operator service to any pay phone and clarify other terminology; set forth duties of the local exchange company in regard to AOS portions of its bill and provide for updating of listing of telecommunication companies for which the billing agent bills; limit charges form pay phones for directory assistance; require that users of pay phones be allowed free access to all interexchange access and to all 1-800 numbers; exempt services to prisoners from compliance with rules inconsistent with pertinent law; set forth contract requirements between AOS providers and customers; require certain notifications on the phone line and on the phone instrument of pay phones; and restrict certain AOS charges.

Does proposal change existing rules?

YES  NO

If yes, describe changes:

See (j)

**(k) Is small business economic impact statement required by chapter 19.85 RCW?  
(Use this space, if possible. Attach extra sheets if necessary.)**

YES  NO

See attached

00274

Small Business Economic Impact Statement  
For Proposed Rules  
In UT-900726

The following constitutes the Commission's best estimate of costs that could be developed in the short time available. Parties are requested to provide comment and additional analysis on these costs. In addition, the Commission intends to continue to evaluate the cost of compliance and reserves the right to amend this statement as more definitive data becomes available.

This analysis attempts to estimate the cost per hundred dollars of sales of compliance with proposed rules for telecommunications companies in Docket No. UT-900726 regarding alternate operator services, and pay telephones. This type of analysis is required under Chapter 19.85 RCW if a proposed rule will have an economic impact on more than ten percent of all of the businesses in this state in any one three digit standard industrial classification. It is assumed that the proposed rules in Docket No. UT-900726 do have an economic impact on more than ten percent of the businesses in the standard industry classification for telephone companies (481). It is estimated that there are at least 50 pay telephone companies and about 17 alternate operator service companies in the state, for a total of at least 67 businesses impacted by the proposed rule. Therefore, there would have to be more than 670 businesses in Washington that fall within the 481 standard industry classification. That classification includes LECs, IXCs, paging, radiotelephone, and cellular companies.

RCW 19.85.040 states the purpose and content requirements of a Small Business Economic Impact Statement (SBEIS). The purpose is to analyze the impact of the cost of compliance on the ten smallest businesses and compare that with the impact on the ten largest businesses of the cost of compliance. The analysis uses the cost per hundred dollars of sales measure.

The proposed amendments to rules have impacts on approximately five cost variables for alternate operator service companies. First, such companies must maintain and file written contracts or master contracts. Second, they may have to retrofit equipment to comply with new identification, re-origination, and blocking requirements. Third, they must provide additional information on notices posted at each instrument served. Fourth, they must put both their name and their billing agent's name on consumer's bill. Fifth, new companies are constrained from surcharges greater than \$0.25 per call, and from charging more than prevailing rates per-call for directory assistance.

1. Written contracts for AOS service are typically already used, so it shouldn't cost anything extra to comply with the proposed rule which requires written contracts. Filing a written contract or a master contract will require approximately 1 hour of clerical work at say \$12/hour. Mailing, and materials will cost another dollar it is

estimated. Estimated total cost of compliance is \$13 per written contract or master contract. It is assumed that these costs do not vary between large companies and small companies. A small company will have either one master contract or approximately 50 individual contracts. The large company will likewise have either one master contract, or an estimated 2,000 individual contracts.

It seems fair to assume that the option to file a master contract will be chosen.

2. The proposed rule adds the requirement that both the provider of service and the billing agent's name be provided at the beginning of every call (Branding). For small companies using automated technology it can be expected to cost approximately \$300 per instrument to update the equipment. There is not any additional per call cost to the small company to comply. It is estimated that the small company will have approximately fifty instruments. For large companies compliance can be achieved by training operators in the new procedure, and having them take the extra 10 seconds or so to make the requisite announcement at the beginning of each call. It is estimated that operators are paid \$20 per hour, and it will take less than one hour to train them. It is estimated that the large company handles one million calls per year, and has 200 operators.

The proposed rule requires that an operator be able to re-originate a call for a consumer using the carrier of the consumer's choice. For a small company using automated technology it is not possible to comply with this part of the rule without handing the call over to the live operator. Of course, since it is already assumed that the consumer wants to use a different carrier, there is only the expense of routing the call to a live operator, which costs nothing, extra, they should already be able to do that. For a large company the costs of compliance must be similar to the cost of training operators to announce the provider of service and billing agent's names.

The proposed rule prohibits blocking of access to other carriers and 1-800 numbers. Small companies will have to spend an estimated \$300 per instrument to comply, large companies can comply without additional expense.

3. The proposed rule requires additional information to be posted on each instrument served. It is estimated that 10,000 notices can be printed and posted for approximately \$5,000. That works out to fifty cents per notice,

installed. This is not assumed to vary between large and small companies. It is assumed that a small company will require 100 notices, large companies 10,000.

4. The proposed rule requires both the service provider's name and the billing agent's name on the consumer's bill. It is estimated that it will cost \$10,000,000 for local exchange companies to implement this requirement in their billing systems. That expense then will be passed on to the service provider. It is estimated that it currently costs \$1.00 per message for billing and collection. It is estimated that the pass through of the additional expense incurred by the local exchange company will translate into approximately \$0.10 per message extra expense, regardless of the size of the business.

It is assumed that a small company will handle 140,000 calls. This assumption is based upon an actual small company's annual income of \$558,629 where it is assumed that the average revenue per call is \$4.00.

5. The proposed rules restrict surcharges to \$0.25 per call. Small and large companies surcharge an estimated average of \$0.75 per call now, so they will lose an estimated \$0.50 per call.

The rule restricts directory assistance charges to prevailing rates which are \$0.25 per intraLATA request, and \$0.75 per interLATA request. The average cost for a small business of a directory assistance call is assumed to be \$0.60 per directory assistance call of any kind, and for the large business it is assumed to be the prevailing rate. Therefore, there is no impact on the large business.

It is assumed that the small business will handle approximately 14,000 directory assistance requests, one fourth of which are assumed to be interLATA.

#### SUMMARY

1. File master contract for big business \$13.00  
File master contract for small business \$13.00
2. Retrofitting for Branding - small business. \$300 per phone, fifty phones. \$15,000 total

Big business Branding - 200 operators, one hour of training each, at \$20.00 per hour is \$4,000. Ten seconds per call times one million calls is ten million seconds, divided by

sixty seconds in a minute, sixty minutes in an hour times \$20.00 per hour is \$55,555. \$4,000 + \$55,555 is \$59,555 total.

Re-origination, small business - no extra cost.

Re-origination, large business - train 200 operators, for one hour each, \$20.00 per hour. Total \$4,000.

Non-blocking requirement - small company with fifty phones and \$300 expense per phone. \$15,000 total.

Non-blocking requirement - large company. No extra cost.

3. New notices, small company. 100 notices at fifty cents each, fifty dollars total.

New notices, large company. 10,000 notices, total cost \$5,000.

4. Both names on the bill, at ten cents per call. Small business extra cost at 140,000 per year, total cost \$14,000.

Large business, same analysis, one million calls. Total cost \$100,000.

5. Directory assistance price cap. Small business with 10,500 intraLATA directory assistance requests, rate cap is 25 cents, cost is sixty cents - loss of 35 cents per call times 10,500 calls. No loss on interLATA requests. Total loss \$3,675.

Big companies lose nothing.

Grand Total - small company	Large company
1. \$ 13	1. \$ 13
2. 30,000	2. 63,555
3. 50	3. 5,000
4. 14,000	4. 100,000
5. 3,675	5. 0
Total \$47,738	\$168,568

Small company revenues of \$558,629, yields \$8.55 cost per \$100 dollar of sales.

Large company revenues of \$4,000,000 yields \$4.21 per \$100 sales.

A P P E N D I X A

AMENDATORY SECTION (Amending Order R-293, filed 1/31/89)

WAC 480-120-021 GLOSSARY. Alternate operator services company - any corporation, company, partnership, or person other than a local exchange company providing a connection to intrastate or interstate long-distance or to local services from locations of call aggregators, i.e., places including but not limited to, hotels, motels, hospitals, campuses, and ((~~customer-owned~~)) pay telephones. ((~~Alternate-operator-services-companies are those with which a hotel, motel, hospital, campus, or customer-owned pay telephone, etc., contracts to provide operator services to its clientele.~~))

Applicant - any person, firm, partnership, corporation, municipality, cooperative organization, governmental agency, etc., applying to the utility for new service or reconnection of discontinued service.

Automatic dialing-announcing device - any automotive terminal equipment which incorporates the following features:

- (1)(a) Storage capability of numbers to be called; or
  - (b) A random or sequential number generator that produces numbers to be called; and
  - (c) An ability to dial a call; and
- (2) Has the capability, working alone or in conjunction with other equipment, of disseminating a prerecorded message to the number called.

Base rate area or primary rate area - the area or areas within an exchange area wherein mileage charges for primary exchange service do not apply.

Central office - switching unit in a telephone system having the necessary equipment and operating arrangements for terminating and interconnecting subscribers' lines, farmer lines, toll lines and interoffice trunks. (More than one central office may be located in the same building or in the same exchange.)

Commission - the Washington utilities and transportation commission.

Competitive telecommunications company - a telecommunications company which is classified as such by the commission pursuant to RCW 80.36.320.

Competitive telecommunications service - a service which is classified as such by the commission pursuant to RCW 80.36.330.

Customer - user not classified as a subscriber.

Exchange - a unit established by a utility for communication service in a specific geographic area, which unit usually embraces a city, town or community and its environs. It usually consists of one or more central offices together with the associated plant used in furnishing communication service to the general public within that area.

Exchange area - specific area served by, or purported to be served by an exchange.

Farmer line - outside plant telephone facilities owned and maintained by a subscriber or group of subscribers, which line is connected with the facilities of a telecommunications company for switching service. (Connection is usually made at the base rate area boundary.)

Farmer station - telephone instrument installed and in use on a farmer line.

Interexchange telecommunications company - a telecommunications company, or division thereof, that does not provide basic local service.

Outside plant - the telephone equipment and facilities installed on, along, or under streets, alleys, highways, or on private rights-of-way between the central office and subscribers' locations or between central offices.

Station - a telephone instrument installed for the use of a subscriber to provide toll and exchange service.

Subscriber - any person, firm, partnership, corporation, municipality, cooperative organization, governmental agency, etc., supplied with service by any utility.

Toll station - a telephone instrument connected for toll service only and to which message telephone toll rates apply for each call made therefrom.

Utility - any corporation, company, association, joint stock association, partnership, person, their lessees, trustees or receivers appointed by any court whatsoever, owning, controlling, operating or managing any telephone plant within the state of Washington for the purpose of furnishing telephone service to the public for hire and subject to the jurisdiction of the commission.



AMENDATORY SECTION (Amending Order R-293, filed 1/31/89)

WAC 480-120-106 FORM OF BILLS. Bills to subscribers shall be rendered regularly and shall clearly list all charges. Each bill shall indicate the date it becomes delinquent and notice of means by which a subscriber can contact the nearest business office of the utility.

The portion of a bill rendered by the local exchange company on behalf of itself and other companies shall clearly specify the provider of the service ((or)) and its authorized billing agent, and a toll free telephone number the consumer can call to question that portion of the bill and, if appropriate, receive credit. The local exchange company's number may be used on this portion of the bill only if it has full authority to investigate and, if appropriate, adjust disputed calls including a means to verify that the rates charged are correct. Consumers requesting an address where they can write to question that portion of the bill shall be provided that information.

A local exchange company shall not provide billing and collection services for telecommunications service to any company not properly registered to provide service within the state of Washington, except to a billing agent that certifies to the local exchange carrier that it will submit charges only on behalf of properly registered companies. As a part of this certification the local exchange company shall require that the billing agent provide to it a current list of each telecommunications company for which it bills showing the name (as registered with the commission) and address. This list shall be updated and provided to the local exchange company as changes occur. The local exchange company shall in turn, upon receiving it, provide a copy of this list to the commission for its review.

All bills for telephone service shall identify and set out separately any access or other charges imposed by order of or at the direction of the Federal Communications Commission. In addition, all bills for telephone service within jurisdictions where taxes are applicable will clearly delineate the amount, or the percentage rate at which said tax is computed, which represents municipal occupation, business and excise taxes that have been levied by a municipality against said utility, the effect of which is passed on as a part of the charge for telephone service.

Subscribers requesting by telephone, letter or office visit an itemized statement of all charges shall be furnished same. An itemized statement is meant to include separately, the total for exchange service, mileage charges, taxes, credits, miscellaneous or special services and toll charges, the latter showing at least date, place called and charge for each call. In itemizing the charges of information providers, the utility shall furnish the name, address, telephone number and toll free number, if any, of such providers. Any additional itemization shall be at a filed tariff charge.

Upon a showing of good cause, a subscriber may request to be allowed to pay by a certain date which is not the normally designated payment date. Good cause shall include, but not be

limited to, adjustment of the payment schedule to parallel receipt of income. A utility may be exempted from this adjustment requirement by the commission.

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AMENDATORY SECTION (Amending Order R-316, filed 3/23/90)

WAC 480-120-138 PAY TELEPHONES--LOCAL AND INTRASTATE. Every telecommunications company operating an exchange within the state of Washington may allow pay telephones to be connected to the company's network for purposes of interconnection and use of registered devices for local and intrastate communications. Every such telecommunications company offering such service shall file tariffs with the commission setting rates and conditions applicable to the connection of pay telephones to the local and intrastate network under the following terms and conditions. Local exchange companies that do not have a public access line tariff on file with the commission shall not be subject to these rules.

For purposes of these rules "pay telephone" is defined as equipment connected to the telephone network in one of the following modes:

(a) Coin operated: A telephone capable of receiving nickels, dimes, and quarters to complete telephone calls. Credit card or other operator-assisted billing may be used from a coin-operated instrument.

(b) Coinless: A pay telephone where completion of calls, except emergency calls, must be billed by an alternative billing method such as credit card, calling cards, third-party billing, or billed in connection with the billing of meals, goods, and/or services. These pay phones include, but are not limited to, charge-a-call, cordless, tabletop, and credit card stations.

For purposes of these rules, the term "subscriber" is defined as a party requesting or using a public access line for the purpose of connecting a pay telephone to the telephone network.

(1) Pay telephones connected to the company network must comply with Part 68 of the Federal Communications Commission rules and regulations and the current National Electric Code and National Electric Safety Code, and must be registered with the Federal Communications Commission, or installed behind a coupling device which has been registered with the Federal Communications Commission.

(2) All pay telephones shall provide dial tone first to assure emergency access to operators without the use of a coin.

(3) The caller must be able to access the operator and 911 where available without the use of a coin.

(4) ~~((The--subscriber--shall--pay--the--local--directory assistance--charge--currently--in--effect--for--each--pay--telephone--and may--charge--the--user--for--directory--assistance--calls--))~~ The charge for each directory assistance call paid by the user shall not exceed the current prevailing per call charge ~~((paid--by--the subscriber))~~. In the absence of persuasive contrary evidence, the charge of U S WEST Communications for intraLATA directory assistance or AT&T for interLATA directory assistance shall be accepted as the prevailing charge.

(5) Emergency numbers (e.g., operator assistance and 911) must be clearly posted on each pay telephone.

(6) Information consisting of the name, address, telephone

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number of the owner, or the name of the owner and a toll-free telephone number where a caller can obtain assistance in the event the pay telephone malfunctions in any way, and procedures for obtaining a refund from the subscriber must be displayed on the front of the pay telephone.

The following information shall also be posted on or adjacent to the telephone instrument:

(a) "An accurate quotation of all rates and surcharges is available to the user by dialing '0' and requesting costs"; and

(b) The notice required by WAC 480-120-141(1).

In no case will the charges to the user exceed the quoted costs.

(7) The telephone number of the pay telephone must be displayed on each instrument.

(8) The subscriber shall ensure that the pay telephone is compatible for use with hearing aids and its installation complies with all applicable federal, state, and local laws and regulations concerning the use of telephones by disabled persons.

(9) The pay telephone, if coin operated, must return the coins to the caller in the case of an incomplete call and must be capable of receiving nickels, dimes, and quarters. Local exchange company pay telephones shall not be subject to the requirements of this subsection.

(10) All pay telephones must be capable of providing access to all interexchange carriers where such access is available. If requested by the subscriber, the local exchange company providing the public access line shall supply restriction, where available, which prevents fraud to the 10XXX 1+ codes, at appropriate tariffed rates.

(11) Except for service provided to hospitals, libraries, or similar public facilities in which a telephone ring might cause undue disturbance, or upon written request of a law enforcement agency, coin-operated pay telephones must provide two-way service, and there shall be no charge imposed by the subscriber for incoming calls. This subsection will not apply to pay telephones arranged for one-way service and in service on May 1, 1990. Should an existing one-way service be disconnected, change telephone number, or change financial responsibility, the requirements of this subsection shall apply. All pay telephones confined to one-way service shall be clearly marked on the front of the instrument.

(12) Pay telephones shall be connected only to public access lines in accordance with the approved tariffs offered by the local exchange company. Local exchange company pay telephones are not subject to this requirement.

The local exchange company shall not maintain a connection to a public access line for any pay phone:

(a) That does not allow users without-charge access to all available interexchange carriers; or

(b) That does not allow users without-charge access to 1-800 numbers.

(13) A subscriber must order a separate pay telephone access line for each pay telephone installed. Extension telephones may be connected to a pay telephone access line when the instrument:

(a) Prevents origination of calls from the extension station; and

(b) Prevents third party access to transmission from either the extension ((of)) or the coin-operated telephone instrument.

Local exchange companies are exempted from (b) of this subsection.

(14) Credit card operated pay telephones shall clearly identify all credit cards that will be accepted.

(15) Involuntary changes in telephone numbers upon conversion of pay telephones from local exchange company-owned to privately-owned pay telephones are prohibited.

(16) No fee shall be charged for nonpublished numbers on a public access line.

(17) Cordless and tabletop pay telephones shall not be connected to the telephone network except under the following conditions:

(a) The bill for usage is tendered to the user before leaving the premises where the bill was incurred or alternatively billed at the customer's request; and

(b) The user is notified verbally or on the instrument that privacy on cordless and tabletop telephones is not guaranteed; and

(c) When other electrical devices are equipped with filters, as necessary, to prevent interference with the pay telephone.

(18) Violations of the tariff, commission rules pertaining to pay telephone service, or other requirements contained in these rules will subject pay telephone to disconnection of service if the deficiency is not corrected within five days from date of written notification to the subscriber. WAC 480-120-081(4)(g) shall not apply to such disconnections.

It shall be the responsibility of every local exchange company to assure that any subscriber taking service pursuant to these rules and to tariffs filed pursuant to these rules meets all of the terms and conditions contained within these rules and the tariffs so filed. It shall be the duty of the local exchange company to enforce the terms and conditions contained herein.

It shall be the responsibility of the local exchange company to provide free of charge one current telephone directory each year for each public access line. It shall be the responsibility of the subscriber to make a reasonable effort to assure a current directory is available at every pay telephone location.

Public access lines will be charged at rates according to the relevant tariff as approved by the commission.

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AMENDATORY SECTION (Amending Order R-293, filed 1/31/89)

WAC 480-120-141 ALTERNATE OPERATOR SERVICES. All telecommunications companies providing alternate operator services (AOS), as defined in WAC 480-120-021, shall ~~((conform to))~~ comply with this and all other rules relating to telecommunications companies not specifically waived by order of the commission. ~~((Alternate operator services companies--(AOS) are those with which a hotel, motel, hospital, prison, campus, customer-owned pay telephone, etc., contracts to provide operator services to its clientele.))~~ Alternate operator service provided to the inmates of state or local penal or correctional facilities or jails are exempt from compliance with the provisions of any rule inconsistent with RCW 9.73.095 or an equivalent ordinance, so long as the charges for service are no higher than the prevailing charges for operator services.

(1) Alternate operator services shall be provided pursuant to a written contract between the AOS company and its customer. Lack of a written contract is a violation of this rule, and does not relieve the AOS company of compliance with any rule of the commission. Each AOS company shall file with the commission its contract with each customer. If the AOS company uses a master contract, it shall file the master contract, a current list of customers which it serves, the effective date of the contract as to that customer, and the locations at which service is provided to that customer. In addition, the AOS company shall file, within thirty days after execution, a copy of any contract which varies from the master contract, except as to service locations and the dates of execution and effect.

(2) The AOS company is responsible for assuring that each of its customers complies fully with contract provisions which are specified in these rules. Failure to secure compliance constitutes a violation by the AOS company.

(3) For purposes of this section ~~((the))~~, "consumer" means the party ~~((billed--for--the--completion--of))~~ initiating an ~~((interstate/intrastate))~~ interexchange or local call. "Customer" means the call aggregator, i.e., the hotel, motel, hospital, prison, campus, ~~((customer-owned))~~ pay telephone, etc., contracting with an AOS for service.

~~((1))~~ (4) An alternate operator services company shall require, as a part of the contract with its customer and as a term and condition of service stated in its tariff, that the customer:

(a) Post on the telephone instrument in plain view of anyone using the telephone, in eight point or larger Stymie Bold type, the following notice:

SERVICES ON THIS INSTRUMENT MAY BE PROVIDED AT RATES THAT ARE HIGHER THAN NORMAL. YOU HAVE THE RIGHT TO CONTACT THE OPERATOR FOR INFORMATION REGARDING CHARGES BEFORE PLACING YOUR CALL. ~~((INSTRUCTIONS FOR DIALING THROUGH THE LOCAL TELEPHONE COMPANY ARE ALSO AVAILABLE FROM THE OPERATOR))~~ YOU HAVE THE RIGHT TO REQUEST THAT THE OPERATOR CONNECT YOU WITH THE CARRIER OF YOUR CHOICE AT NO CHARGE.

(b) Post and maintain in legible condition on or near the telephone:

(i) The name, address, and toll-free number of the alternate operator services company, as registered with the commission and, if the AOS company uses a billing agent, the name of the billing agent;

(ii) Dialing directions so that a consumer may reach the AOS operator (~~so--as~~) without charge to receive specific rate information; and

(iii) Dialing directions to allow the consumer to dial through the local telephone company and to make it clear that the consumer has access to the other providers.

(c) Provide, without charge, access to any registered interexchange carrier;

(d) Provide, without charge, access to 800 services; and

(e) Shall not impose, implement or allow a surcharge for any operator, toll, or local service above the tariffed rates for service.

~~((2))~~ (5) The alternate operator services company shall:

(a) Identify the AOS company providing the service or its authorized billing agent at the beginning of every call and again before the call is completed, including (~~those--handled automatically;--and~~) an announcement to the called party on calls placed collect.

(i) For purposes of this rule the beginning of the call is prior to the prompt to enter billing information on automated calls and, on live and automated operator calls, when the call is initially routed to the operator.

(ii) Specifically, the following message shall be used at the beginning of the call: "You are using (name of AOS company as registered with the commission"; and, when the charges for the call will appear on the consumer's bill from a different company, such as a billing agent, this company's name must also be disclosed to the caller at the beginning of a call using the following message, "Charges for this call will be billed by (name of billing agent)"; the message prior to completion of the call shall say, "Thank you for using (name of AOS company)".

(b) Provide to the local exchange company such information as may be necessary for billing purposes, as well as an address and toll free telephone number for consumer inquiries.

(c) Re-originate calls to another carrier upon request by the caller and without charge.

(d) Assure that a minimum of ninety percent of all calls shall be answered by the operator within ten seconds from the time the caller dials "0".

(e) Maintain adequate facilities in all locations so the overall blockage rate for lack of facilities does not exceed one percent in any given hour. Should excessive blockage occur, it shall be the responsibility of the AOS company to determine what caused the blockage and take immediate steps to correct the problem. This subsection does not apply to blockage during unusually heaving traffic, such as national emergency, local disaster, holidays, etc.

~~((3))~~ (6) The alternate operator services company shall

assure that ~~((consumers))~~ persons are not billed for calls which are not completed. For billing purposes, calls shall be itemized, identified, and rated from the point of origination to the point of termination. No call shall be transferred to another carrier by an AOS which cannot or will not complete the call, unless the call can be billed in accordance with this subsection.

~~((4))~~ (7) For purposes of emergency calls, every alternate operator services company shall have the following capabilities;

(a) Automatic identification at the operator's console of the location from which the call is being made;

(b) Automatic identification at the operator's console of the correct telephone numbers of emergency service providers that serve the telephone location, including but not limited to, police, fire, ambulance, and poison control;

(c) Automatic ability at the operator's console of dialing the appropriate emergency service with a single keystroke;

(d) Ability of the operator to stay on the line with the emergency call until the emergency service is dispatched.

No charge shall be imposed ~~((on-the-caller-from))~~ by the telephone company or the alternate operator services company for the emergency call.

If the alternate operator services company does not possess these capabilities, all calls in which the ~~((caller))~~ consumer dials zero (0) and no other digits within five seconds shall be routed directly to the local exchange company operator, or to an entity fully capable of complying with these requirements. AOS companies lacking sufficient facilities to provide such routing shall cease operations until such time as the requirements of this section are met.

~~((5))~~ Consumer) (7) Complaints and disputes shall be treated in accordance with WAC 480-120-101, Complaints and Disputes.

~~((6))~~ (8) Charges billed to a credit card company (e.g., American Express or Visa) need not conform to the call detail requirements of this section. However, the AOS shall provide ~~((consumers-with))~~ specific call detail in accordance with WAC 480-120-106 upon request.

(9) "Public convenience and advantage"; commissions or fees.

(a) For services, public convenience and advantage means at a minimum that the provider of alternate operator services offers services which equal or exceed the industry standards in availability, technical quality and response time and which equal or exceed industry standards in variety or which are particularly adapted to meet unique needs of a market segment. In the absence of other persuasive evidence, a demonstration that operator service equals or exceeds that provided by U S WEST Communications for intraLATA services or AT&T for interLATA services will be accepted as demonstrating public convenience and advantage.

(b) Charges no greater than the prevailing operator service charges in the relevant market - intraLATA or interLATA - will be



accepted as demonstrating that charges are for the public convenience and advantage. In the absence of persuasive contrary evidence, the charges for US West for IntraLATA service and AT&T for interLATA service will be accepted as the prevailing charges.

(c) Commissions, charges or fees. The charge to the consumer attributable to any commission, location fee, surcharge, or customer charge or fee of any kind for the benefit of a call aggregator may not exceed twenty-five cents for any sent-paid or non sent-paid call, except that no such charge may be added to without-charge calls nor to a charge for directory assistance. The existence of this charge at a location and the basis for its calculation must be clearly posted at the location of the instrument. Except as specified herein, no tariff may provide for rate levels which vary at the option of a customer-aggregator.

(10) Tariffed rates for the provision of alternate operator services shall not exceed the prevailing rates for such services unless need for the excess is demonstrated to the satisfaction of the commission. In the absence of persuasive contrary evidence, rate levels of U S WEST for intraLATA service and AT&T for interLATA service will be considered the prevailing rate.