

ALJ/GLW/pc

Decision 89 03 061 MAR 2 2 1989

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
Mailed

In the Matter of Application of Pacific Bell, a corporation, for authority to establish a tariff schedule for Information Calling Services.

Application 88-04-004 (Filed April 1, 1988) MAR 23 1989

Application for Rehearing of Resolution No. T-12015.

Application 87-05-049 (Filed May 26, 1987)

In the Matter of Resolution No. T-12015: Commission Approval of Pacific Bell Advice Letter No. 15224 and Denial of Protests of Omniphone, Inc. and Sable Communications of California.

Investigation on the Commission's own motion into 976 Information Access Service.

I.85-04-047 (Filed April 17, 1985)

(See Appendix A for appearances.)

OPINION ADOPTING INTERIM SETTLEMENT

In Decision (D.) 89-02-066 issued February 22, 1989, we examined a settlement between Pacific Bell (Pacific), the Division of Ratepayer Advocates (DRA), and the Information Providers Association (IPA). This settlement would allow Pacific to initiate a new information calling service using the 900 area code (900 service), subject to certain conditions.

We found in D.89-02-066 many of the major provisions of the settlement to be reasonable, but that certain provisions prevent us from adopting the settlement as written. As a result, we proposed a number of modifications to the proposed settlement,

and concluded that the modified settlement would be reasonable and in the public interest.

We asked parties to the settlement to indicate whether the alternative terms to the settlement, as set forth in D.88-02-066, are acceptable to them. We also invited other parties to the proceeding to comment on the proposed modifications to the 900 settlement.

Positions of the Parties

The following parties filed comments in response to D.89-02-066: Pacific, DRA, IPA, Phone Programs, Inc. (PPI), Public Advocates, the Information Providers Action Committee (IPAC), GTE California, Inc. (GTE), MCI Telecommunications Corporation (MCI), and AT&T Communications of California, Inc. (AT&T).

All three parties to the original 900 settlement, Pacific, DRA, and IPA, accept the modified 900 settlement. Pacific states that the modifications to the proposed settlement as set forth in D.89-02-066 are fully acceptable. Pacific believes that a few minor clarifications are needed. Similarly, DRA accepts the proposed modifications to the 900 settlement set forth in D.89-12-066. DRA requests clarification or revision of two of the proposed modifications to the 900 settlement. IPA also accepts the modified 900 settlement, without prejudice to its right in the future to file pleadings seeking changes in the 900 service, as circumstances may require.

Public Advocates, which opposed the original 900 settlement, fully supports the interim opinion as written.

IPAC and PPI, who both opposed the original 900 settlement, continue to oppose the terms of the underlying settlement for the reasons set forth in their prior pleadings.

GTE, neither accepts or rejects the modified 900 settlement, but does request clarification of certain aspects of the interim decision.

AT&T and MCI indicate that may seek offer intrastate 900 services. They each express concern that the decision on Pacific's 900 service may be generic or precedential. They do not believe that all of the provisions in the interim service should apply to their intrastate 900 service.

Discussion

PPI's comments on D.89-02-066 raise five points in opposition to portions of the interim decision. In D.89-02-066 we previously addressed four of the five points raised by PPI. We will, in this decision, comment upon PPI's concerns regarding ex parte communications.

PPI contends that "all parties have the right to presume that the ultimate decision would be based upon the record and upon arguments served on all parties." This is a fair presumption, and the Commission has strictly adhered to this principle in issuing the two decisions in this proceeding. We developed an extensive evidentiary record and provided parties numerous opportunities to offer written comments and pleadings throughout the course of the proceeding. We issued a 90 page interim decision, which sets forth a detailed recitation of the facts and evidence upon which we relied in reaching our decision. Thus, both D.89-02-066 and this decision, were based upon the record and the arguments which have been served on all parties.

IPAC is another party which opposes the modified settlement. To the extent that IPAC's concerns were raised during the hearings, we have expressly addressed these issues in D.89-02-066. IPAC has failed to demonstrate that the adjustment policy is unreasonable, nor that system leakage problems alleged to occur in the 976 service will recur in the 900 service.

We turn now to substantive comments on the modified settlement. We have carefully considered each of the proposed clarifications or modifications proposed by the various parties. We will make several minor adjustments, consistent with the

policies we expressed in D.88-02-066. We will not make any substantive changes to the modified 900 settlement.

Advance Notification and Temporary Blocking

The 900 settlement contained procedures for the advance notification of customers with high 976/900 bills. D.89-02-066 proposed to extend the advance notification procedure by requiring Pacific to temporarily block customers whose monthly charges exceed \$150.00 for the first time, if Pacific is unable to contact the customer. DRA notes that current technological limitations make it difficult to immediately block charges at exactly the point in time when charges exceed \$150.00. In the same vein, Pacific indicates that temporary blocking will not be instantaneous:

"On a one-time basis, when a residential customer first reaches the \$150.00 limit, Pacific's billing system will notify Pacific's business office. The business office will receive the notification by the next business day. The service representative will then call and attempt to contact the customer. If the customer can not be reached by the end of that business day, the service representative will mail a notification letter to the customer and issue a service order for 976/900 blocking for that customer (if blocking is available in that customer's switch)."

Given the present limitations in technology, we find the procedures proposed by Pacific to be reasonably prompt, provided that the service order for 976/900 blocking is executed within one business day of the time it is issued by the service representative. We recognize that with a delay of up to two business days between the time that charges exceed \$150.00 and the time the service is temporarily blocked, a customer may incur additional charges.

DRA states that it is not clear what additional remedies a customer will have if Pacific fails to automatically block at \$150.00. The customer's primary remedy is the one-time adjustment policy. Recognizing that each customer will have the option of

blocking 976/900 service, advance written notification when monthly charges first exceed \$75.00, and the option of a one-time adjustment, we see no need to provide additional remedies if Pacific is unable to automatically block at exactly \$150.00.

Price Cap on Videotex Services

DRA correctly notes that D.89-02-066, in Conclusion of Law 11(k) proposes a price cap of \$20.00 per call on all 900 services, including videotex services. DRA believes that a cap on videotex services is appropriate, but believes that the price cap should relate to the prices charged by other videotex providers. DRA states that in the enhanced services proceeding, A.88-08-033, videotex providers charge as much as \$35.00 an hour at peak rates. DRA does not provide us with specific reference to this information in A.88-08-033, nor does it assert that this information is exhaustive or up-to-date, but DRA believes that the Commission could cap Pacific's 900 videotex charges at \$35.00 an hour.

The information cited by DRA is not part of the record in this proceeding; in fact, DRA does not indicate whether it is part of the record in A.88-08-033. Even assuming the information to be accurate, a \$20.00 cap per call will allow more than 30 minutes of connect time to these videotex services at peak rates. If, after instituting 900 service, Pacific finds that particular videotex services require longer calls which may exceed the \$20.00 cap, it may request a revision to the tariff at the appropriate time.

Live One-On-One

Conclusion of Law 11(j) of D.89-02-66 states:

"The tariff should permit live response by the IP on the 900-505 prefix for programs which do not contain harmful matter, or live response on the 900-303 prefix for programs which contain harmful matter."

Pacific correctly interprets this paragraph as authorizing Pacific to provide a live one-on-one service for the 505 and 303 prefixes. Pacific also correctly indicates that live

one-on-one programs containing harmful matter would be placed on the 303 prefix. However, Pacific incorrectly suggests that recorded general audience programs which provide transfer to a live operator will be on the 844 prefix. The Commission intends the 844 prefix to be for audiotex and videotex programs only. If a general audience program combines audiotex and live one-on-one features, it should be placed on the 505 prefix.

Awareness Survey

The original 900 settlement had provided for Pacific to perform certain customer surveys to measure awareness of blocking and the opportunity for adjustments. The intended goal of these surveys was to further restrict the adjustment policy, when a sufficiently high awareness of blocking was reached. The original 900 settlement also limited how Pacific would inform customers about the adjustment policy.

These provisions of the settlement were not adopted in D.89-02-066. With these changes, Pacific suggests that the surveys become unnecessary. We agree with Pacific that it should not be required to incur the cost of specific surveys designed for a purpose that is no longer present.

Analysis of the Uncollectible Rates

The original 900 settlement required Pacific to undertake an annual analysis to determine a separate uncollectibles rate for each prefix in the 900 service. Pacific states the primary need for such an analysis was the belief that 900 adult services may have a larger uncollectible rate than the live and general audience services. Pacific suggests that if it does not bill and collect for programs containing harmful matter, there would be no uncollectibles issue as to services involving harmful matter.

Whether or not Pacific bills for programs containing harmful matter, there may be significant differences in the uncollectible rates between the 844 and 505 prefixes. Therefore, we will retain the requirement that Pacific annually review

uncollectible rates and set a separate uncollectibles rate for each prefix.

Adjustment Policy

Both Pacific and GTE seek clarification of the adjustment policy. Pacific notes that the 976 adjustment policy, as currently stated in Tariff A9.5.2.C.3.b., is retroactive to April 17, 1985. Retroactivity was needed since the adjustment policy was developed after the 976 service was offered. However, Pacific states, because the 900 adjustment policy will be in place when the 900 service is first offered, there is no need to have a retroactive adjustment policy. We agree with Pacific. Under the 900 adjustment policy customers should have 60 days from the date of the bill to seek an adjustment.

Based on the foregoing discussion, we conclude that the original 900 settlement (Appendix B) as modified in D.89-02-066 and as further modified herein, is reasonable and in the public interest, and should be adopted.

Findings of Fact

1. Pacific, DRA, IPA, and Public Advocates endorse the modified 900 settlement.
2. PPI and IPAC oppose the 900 service under the terms set forth in D.89-02-066.
3. The customer awareness surveys required by the original 900 settlement will no longer serve their intended purpose.
4. The 900 adjustment policy will commence at the outset of the 900 service.

Conclusion of Law

The 900 settlement is reasonable in light of the whole record, consistent with law and in the public interest when, as set forth fully in D.89-2-066 and herein, it is modified in the following respects:

- a. The tariff should define the contents of the (900) 303 prefix to contain only messages or services which contain harmful

matter. All other 900 programs will be placed on either the (900) 844 prefix if the program is pre-recorded, or the (900) 505 prefix if it is a group-bridging program.

- b. The tariff should specify that services which provide messages which contain harmful matter shall be furnished on a subscription basis only.
- c. The tariff should not apply to the billing and collection of services which contain harmful matter. Billing and collection for these services are a matter for contractual arrangement between the telephone corporation and the Information Provider (IP).
- d. The adjustment policy for 976 as set forth in D.87-08-064, will apply to 900 service; however, adjustments will not be made on a bill if the customer did not request an adjustment within 60 days of the billing date on the bill in question. The cost allocation surcharge will be lowered from 2 1/2% to 1 1/2% to reflect the same recharge procedures for 900 and 976 service. There shall be no restriction on Pacific's authority to disclose to customers the availability of the adjustments authorized by the tariff. Any future changes to the 976 adjustment policy will not affect the 900 adjustment policy unless specifically so stated. Pacific is not required to conduct the customer awareness surveys set forth in the original 900 settlement.
- e. The tariff should expressly provide that Pacific will bill and collect only for charitable contributions, information, or communication services provided over the telephone, and that Pacific will not bill or collect for goods or services which are not provided over the telephone.
- f. In addition to the advance bill notification procedures in the settlement, Pacific shall attempt to promptly contact a



customer the first time that customer incurs 900/976 charges of \$150.00 during any single billing period, to inform the customer of the charges. If Pacific is unable to make immediate contact, Pacific shall temporarily block the 900/976 services until it has made contact with the customer, informed the customer of the charges, and determined that the customer desires to resume this service.

- g. The delayed timing period shall not exceed 18 seconds.
- h. Given the fact that programs containing harmful matter will be subscribed and on a separate prefix, further disclosure regarding harmful matter during the delayed timing period is not required.
- i. Pacific shall submit its cost study to the Commission Advisory and Compliance Division (CACD) at least 30 days prior to the introduction of 900 service and such service shall not take effect until such time as CACD has reported to the Commission that the study demonstrates that the proposed service will cover costs. The study shall include a reasonably detailed projection of costs and revenues for both 976 and 900 services for each year from 1989 through 1994. The study shall also include historical data on the costs and revenues of 976 service, by which CACD can gauge the reasonableness of projections of 900 service. If the study demonstrates to CACD that the service does not cover costs, the Commission may, in its discretion, direct the utility to modify the service to the extent necessary to recover costs.
- j. The tariff should permit live response by the IP on the 900-505 prefix for programs which do not contain harmful matter, or live response on the 900-303 prefix for programs which contain harmful matter.
- k. The information charges for 900 service shall not exceed \$5.00 for the first minute and \$1.00 for each additional minute. The

maximum cost per call shall be \$20.00.  
Pacific shall bill both subscribers and IPs  
in increments of 30 seconds.

ORDER

IT IS ORDERED that the 900 settlement, as set forth in Appendix B to this decision and as modified in Conclusion of Law 1 is adopted.

This order is effective today.

Dated MAR 22 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
Commissioners

Commissioner Patricia Eckert,  
present but not participating

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.



Victor Weisser, Executive Director

DB

APPENDIX A

List of Appearances

Applicant: William F. Anderson, Attorney at Law, for Pacific Bell.

Protestants: Farrand, Cooper, Metzler & Bruiniers, by Wayne B. Cooper, for Actiphone Incorporated; Charles Ryan, for Information Providers Association; and the Law Offices of Earl Nicholas Selby, by Earl Nicholas Selby, Attorney at Law, for Information Providers Association.

Interested Parties: McDermott, Will & Emery, by Lee L. Blackman, Attorney at Law, for Carlin Communications and Sable Communications of California; Jackson, Tufts, Cole & Black, by William H. Booth, Attorney at Law, for Prodigy Services Company; Carol A. Brennan, for Phone Programs Inc. of California; Public Advocates, by Robert Gnaizda, Attorney at Law, for LULAC, American G.I. Forum and Low-Income Minority Coalition, San Francisco Consumer Action, Chinese for Affirmative Action, Filipino-American Political Association, Latino Issues Forum, Mexican-American Political Association, Oakland Citizens' Coalition for Urban Renewal, Yellow Ribbon Task Force, Center for Southeast Asian Refugee Resettlement, Instituto Familiar de la Raza, Inc., and North Peninsula Neighborhood Service Center; Orrick, Herrington & Sutcliffe, by Robert J. Gloistein, for Contel of California, Inc.; William G. Irving, for the County of Los Angeles; Armour, St. John, Wilcox, Goodin & Schlotz, by Thomas MacBride and James Squeri, Attorneys at Law, for Telesphere Network Inc.; Richard E. Potter, Attorney at Law, for GTE California Incorporated; Phil Wiley, for Multi-Link, Inc.; Mark Barmore, Attorney at Law, for Toward Utility Rate Normalization; Armour, St. John, Wilcox, Goodin & Schlotz, by John L. Clark, Attorney at Law, for MultiLink, Inc.; Randolph W. Deutsch and Richard A. Bromley, Attorneys at Law, for AT&T Communications; Dixie Drake, Bob Kushner, William LaVelle, Desiree Paterson, and David Wilk, for Information Providers Action Committee; Lawrence Bearg, for The Information Supermarket; Robert Feraru, for the Public Advisor's Office; Arlene Krantz, for Key Connections, Inc.; Alan M. Weiss, Attorney at Law, for MCI Telecommunications Corporation; Richard A. Ahern, for Decentralized Data; and Preston D. Janes, Hal McClinton, and Sanjeev Malaney, for themselves.

Division of Ratepayer Advocates: Janice Grau, Attorney at Law, Kim Malcolm, and Richard Shankey.

(END OF APPENDIX A)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of Application of Pacific Bell, a corporation, for authority to establish a tariff schedule for Information Calling Services	)	Application 88-04-004 (Filed April 1, 1988)
_____	)	
Application for Rehearing of Resolution No. T-12015	)	
_____	)	Application 87-05-049 (Filed May 26, 1987)
In the Matter of Resolution No. T-12015: Commission Approval of Pacific Bell Advice Letter No. 15224 and Denial of Protests of Omniphone, Inc. and Sable Communications of California, Inc.	)	
_____	)	

MOTION FOR ADOPTION OF SETTLEMENT AGREEMENT AND STIPULATION; SETTLEMENT AGREEMENT AND STIPULATION; PROPOSED TARIFF

The parties to the attached Settlement Agreement<sup>1</sup> and Stipulation ("Agreement") urge the Commission to adopt that Agreement to Pacific Bell's Application 88-04-004 to provide 900 Information Calling Services ("900 ICS")<sup>2</sup> and to revisions of the 976 Information Access Service ("976 IAS") adjustment policy.

The Agreement incorporates both additions and changes to Pacific Bell's proposed tariff. The attached proposed tariff ("Tariff") and the attached Agreement must be read together to understand the terms of the settlement. Changes to the Tariff are handwritten.

1. Pacific Bell, GTE California, Inc., the Information Providers Association, Preston D. Janes and the Division of Ratepayer Advocates.

2. 900 ICS would be an intralATA transport and billing service for providers of recorded broadcast, interactive messages, videotex and live group telephone conversations.

APPENDIX B

At the request of ALJ Gregory Wheatland, the parties to this proceeding filed issue statements relating to the 900 ICS application and the consolidated adjustment issues. ALJ Wheatland set a prehearing conference and scheduled settlement conferences on the issues raised by the parties. Interested parties met for eight days to discuss the issues raised by the parties. The Agreement and Tariff incorporate the compromises reached by the parties who continued to meet until the conclusion of the discussions.

The parties to the settlement conference agreed to combine discussions about 900 ICS and 976 IAS residential blocking cost allocation and commercial blocking. Parties agreeing on those issues will present a separate settlement document.

ALJ Wheatland has set the comment period for all agreements filed by September 1, 1988; comments are due by September 15, 1988 and reply comments are due by September 22, 1988.

Legislative action in the information access service area affects the agreements reached in these settlement conferences. Parties to the settlement conference discussed this Agreement's compliance with SB 679's requirement of a separate prefix for harmful matter. The parties to the Agreement encourage those parties filing comments to address compliance with SB 679 in order to assist the Commission's efforts to comply with that legislation.

In conclusion, the parties to the Agreement request that the Commission adopt its recommendations and that the other parties to this proceeding support the Agreement.

Respectfully submitted,

/s/ JANICE GRAU

---

Janice Grau  
Staff Counsel

California Public Utilities  
Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 557-2478

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of Application of Pacific Bell, a corporation, for authority to establish a tariff schedule for Information Calling Services	)	Application 88-04-004 (Filed April 1, 1988)
_____	)	
Application for Rehearing of Resolution No. T-12015	)	
_____	)	Application 87-05-049 (Filed May 26, 1987)
In the Matter of Resolution No. T-12015: Commission Approval of Pacific Bell Advice Letter No. 15224 and Denial of Protests of Omniphone, Inc. and Sable Communications of California, Inc.	)	
_____	)	

SETTLEMENT AGREEMENT AND STIPULATION

BACKGROUND

Pacific Bell has filed A. 88-04-004 with the California Public Utilities Commission ("Commission") requesting approval of its proposed tariff schedule for Information Calling Services ("900 Service"<sup>1</sup>). The proposed service would provide billing and transport to information providers ("IP"). The application proposes, among other things, to designate three prefixes for various types of information and to provide selective blocking options to subscribers.

In a May 20, 1988 ruling, the Administrative Law Judge consolidated the Commission's review of the 976 Information Access Service adjustment policy in Application 87-05-049 with this 900 Service application, because the issue is common to both proceedings.

---

1. All references to 900 Service are only to Pacific Bell's 900 Service.

## APPENDIX B

At the first prehearing conference held in this proceeding, the assigned Administrative Law Judge ("ALJ") proposed that the parties meet and attempt to settle the matter outside of hearings and requested that the Division of Ratepayer Advocates ("DRA") chair those settlement conferences. Accordingly, the parties met for eight days to discuss and attempt to resolve differences. This settlement represents the outcome of those meetings.

The following presents the parties' agreements regarding consumer protection issues which are in addition to those included in the attached amended tariff proposal. Agreements regarding treatment of information providers are included partly in this document and partly in an amended tariff proposal. Business blocking and cost allocation issues are deferred to future discussions and/or hearings. If agreement is reached on those issues, they will be incorporated in a supplemental settlement agreement and stipulation.

**DISCLAIMER**

This agreement represents a compromise among the parties who sign it or subsequently adopt it. Accordingly, it should not be construed as a precedent or policy statement for or against any of the parties in any current or future proceeding. Further, the parties recognize that the issues resolved by this settlement agreement should not be construed as reflecting any of the parties' views or positions concerning the underlying principles applicable to this application.

The parties have entered into this agreement to avoid the expense and delay of litigation. A party's decision to sign this agreement does not necessarily constitute its endorsement of all or any provision of the agreement. Signing this agreement does not affect the rights that any party may have under any federal or state laws regulating trade and commerce or unfair competition.

**SETTLEMENT**

The undersigned parties agree and stipulate as follows:

**1. RESIDENTIAL BLOCKING**

Selective blocking of 900 service prefixes will be offered to residential subscribers. Three prefixes are offered: general, adult, and live. For these prefixes, the following blocking options will be made available:

- a. Block none
- b. Block all (976, 900-844, 900-505, 900-303)
- c. Block adult only (900-303)
- d. Block live and adult only (976, 900-505, 900-303)

Subscribers who have subscribed to blocking for 976 services will automatically be blocked from 900 services at the initiation of that service. Those subscribers may modify their blocking option.

900 services will not be offered to subscribers whose central office cannot provide blocking.

**2. RESIDENTIAL SUBSCRIBER CALL ADJUSTMENTS**

A one-time adjustment will be granted to subscribers when the call(s) to 900 services was (were) made by a minor child without parental approval or the call(s) was (were) made without the permission of a subscriber and the subscriber was not aware of blocking options. The subscriber will be required to sign a declaration to obtain the unauthorized use/unaware of blocking adjustment; the subscriber will also be required to sign a declaration to obtain the unauthorized calls by a minor child adjustment when those calls exceed \$50. The adjustment will not exceed two billing cycles (see tariff).

The utility shall also adjust subscriber bills in cases where the 900 program called is not in compliance with the 900 services tariff, the provisions of this settlement, or where it has been determined by the Commission or a court that the IP is engaging in consumer fraud. In such cases, the information



## APPENDIX B

provider shall be charged for any adjustments. Pacific Bell will not recharge to information providers billing and transport for unauthorized use/unaware of blocking adjustments for 900 calls during the period prior to completion of its customer education program. Pacific Bell's cost allocation surcharge initially is set at 2.5¢ to recapture those costs. The utility may adjust subscriber bills in other cases where fraud or unlawful activity has occurred and in those cases, adjustments will be made according to utility practice and shall be treated as uncollectibles by the utility.

Pacific Bell will request the elimination of the unauthorized use/unaware of blocking adjustment when it satisfactorily completes the customer education program described on pages 6-8.

### 3. COMPANY-INITIATED BLOCKING OF 900 SERVICES

Pacific Bell will not disconnect subscribers for non-payment of 900 services. However, Pacific Bell may at its discretion block 900 services when a subscriber's bill for 976/900 services exceeds the operative amounts for advance toll notification and it is unable to contact the subscriber. Pacific Bell may also block 900 services to subscribers who have been granted a one-time adjustment, have been informed of the selective blocking options, and have subsequently, at any time, failed to pay for 900 services on their bills.

### 4. ADVANCE NOTIFICATION TO RESIDENTIAL SUBSCRIBERS

Pacific Bell will implement a system for the advance notification of monthly 976 charges and 900 service charges to 1) alert subscribers as early as possible when they may have a problem with unauthorized use of their phones; 2) notify subscribers of their options for blocking; 3) inform subscribers about adjustments when necessary; 4) discourage subscribers from running up large bills for charges which they may have difficulty paying; and 5) limit the amount of one-time adjustments and uncollectibles.

Pacific Bell will notify subscribers of 900 service and 976 services under the following conditions:

- a. Subscribers whose 900 service and 976 service charges for the first time exceed \$75 during the course of a single billing cycle will receive a notice from the utility informing them of the charges and directing them to contact the utility if they have additional questions about those charges. The same notice will be sent to Lifeline subscribers whose 900 and 976 charges exceed \$30 for the first time. If the subscriber makes a contact, the utility shall inform the subscriber of blocking options and may, at its discretion, inform the subscriber of adjustments.
- b. The utility shall attempt to contact subscribers whose combined charges for 976 service, 900 service and any toll exceed \$400 (or \$150 depending on the credit worthiness and the length of Pacific Bell service of the subscriber) in a single billing cycle. The procedure for these contacts shall conform with existing utility practice for advance toll notification. When such contacts are made, the utility shall inform the subscriber of blocking options and may, at its discretion, inform the subscriber of adjustments. If no contact can be made, the utility may at its discretion temporarily block 900 and 976 calls and notify the subscriber in writing that it has blocked those numbers.

##### 5. DISCLOSURE MESSAGES

900 service programs will include a disclosure message at the beginning of the program, as required by the tariff. Subscribers who terminate 900 service calls within eighteen seconds will not be charged for the call, as the tariff provides.

Disclosure messages for children's programs shall include a warning to minor age callers that they should have parental permission to complete the call.

Disclosure messages on adult programs shall identify the program as adult in nature. Disclosure messages for programs requiring a directory or other subscriber calling information shall identify that such directory or calling information is required in order to utilize the service.

**6. NOTIFICATION OF PRICE CHANGES TO SUBSCRIBERS**

Disclosure messages must include reference to price changes at least five days prior to the effective date of the price change and must continue to include reference to such price changes for a minimum of fifteen days after the effective date of the price change. When a caller may bypass disclosure messages, the IP must disable the bypass mechanism during that period.

**7. AUTOMATIC PROGRAM DISCONNECT**

Interactive programs which require a caller response must automatically disconnect a caller after one minute of inactivity on audiotex; videotext programs must automatically disconnect after five minutes of inactivity.

**8. CUSTOMER EDUCATION**

Prior to or coincident with initiation of the 900 service, Pacific Bell will undertake an advertising campaign to inform its subscribers of blocking options, the adjustment policy and the nature of the service. Pacific Bell's customer notification and education program will be conducted as follows with the participation of consumer interest groups, CPUC staff and IPs:

- a. Residential bill inserts will be issued which describe the product, make linkages to 976 services and discuss the consumer safeguards described in this agreement and in the tariff. The bill insert shall include an example for a minimum and a maximum charge for a three minute call using the 900 service. An 800 number will be provided for multilingual coverage;
- b. A message will be placed on the bill of each residential subscriber who incurs 900 charges during the first six months after the product is introduced. The message will advise the subscriber to call the utility business office if he or she has questions about charges or selective blocking options;
- c. Multilingual press releases on 900 products, benefits, and safeguards will be issued. The releases will describe consumer safeguards;

- d. Multilingual brochures will be distributed describing parental safeguards. Brochures will be distributed through PTA's and schools;
- e. Consumer education advertising will be undertaken with extensive use of multilingual media, targeted especially to non-English speaking and low income subscribers. Information regarding all 900 service safeguards will be provided; and
- f. New subscribers and subscribers requesting service at a new location will be informed of the 976 service, the 900 service and blocking options when the subscriber contacts the utility regarding service initiation or change. The utility service representative shall, during that contact, refer the subscriber to written information. The information shall include an example of a minimum and a maximum charge for a three minute call using 900 service.
- g. Any Pacific Bell reference to the adjustment policy in the contacts listed in sections a through e shall be limited to advising subscribers that they should contact their service representative if they believe the 900 service charges are improper and that the service representative shall make adjustments in appropriate cases.

No sooner than two months after the effective date of the 900 service, Pacific Bell shall hire an independent expert to conduct surveys. The surveys shall utilize data accumulated during the life of the 900 Service and shall measure the awareness of those subscribers whom Pacific Bell billed for 900 services where use of 900 service was not authorized by the subscriber. The first survey (Survey A) shall measure awareness of blocking among subscribers with unauthorized use who did not call Pacific Bell. The second survey (Survey B) shall measure whether subscribers with unauthorized use who called Pacific Bell were offered an adjustment, if they qualified for one, and were told about blocking options.

If awareness of blocking among subscribers with unauthorized use who did not call Pacific Bell about that unauthorized use (Survey A) is sufficiently high, Pacific Bell will make a compliance filing to request a Commission resolution setting an effective date to eliminate the category for unauthorized use where the subscriber was unaware of blocking options. Pacific

Bell will adjust calls made after that date under the new policy, will begin charging the full billing and transport to IPs and will drop the cost allocation surcharge to 1.5¢ in the following bill round.

If awareness of blocking among subscribers with unauthorized use who did not call Pacific Bell (Survey A) is not sufficiently high, the utility will develop subsequent notification plans. As part of its notification program in such a case, the utility shall send a separate mailer to those groups that are not sufficiently aware of blocking. This mailer shall describe the blocking options available and shall provide a postage-paid reply card which may be used by those subscribers to order blocking. The burden shall be on the utility to demonstrate that a different course of action is reasonable. If subscribers with unauthorized use who contacted Pacific Bell have a level of awareness of adjustments and blocking options (Survey B) that is not sufficiently high, Pacific Bell will notify the parties (Service List A) of a workshop where it will describe its plan to correct the problem.

The parties have met and will continue to meet with an independent expert regarding the scope and methodology of the studies. The parties have determined the meaning of "sufficiently high" as used in this context.

Pacific Bell will conduct Survey A (or its equivalent) a second time when it plans to offer 900 service on a permanent basis.

In addition, the utility shall track complaints for and adjustments resulting from children's programs, and report the information to the Commission's Advisory and Compliance Division one year following the effective date of the 900 service tariff. The utility shall serve that report on the parties to this proceeding (Service List A) and shall set a meeting among the parties to consider the appropriateness of a separate prefix for children's programs which are advertised to children.

APPENDIX B

9. MIGRATION OF 976 PROVIDERS TO 900 SERVICES

If 976 IPs migrate to 900 services in the same LATA within 60 days of the sales effective date of the 900 service, Pacific Bell will offer those IPs 900 service under the following price and service terms:

- a. A recorded message referring 976 callers to the new 900 service number. This referral message will be offered for a 90 day period at no charge to the IP. This referral is offered subject to equipment limitations for high call volumes;
- b. A one-time credit of \$100.00 toward the \$200.00 per line charge; and
- c. A one-time credit of \$1000.00 toward the \$2000.00 program establishment charge.

The last four digits of a 976 number may be transferred to a 900 number if that number is available (not all number groups will be opened in the 900 prefixes) and if that same number has not been previously requested by another IP. During an initial period after the effective date of the 900 tariff, the utility will resolve conflicts among IPs for numbers. 900 numbers will be assigned on a first-come-first-serve basis after that initial period.

10. TREATMENT OF THE COST ALLOCATION SURCHARGE

One year after the initiation of the 900 service, and each year thereafter, Pacific Bell shall undertake an analysis which determines a separate uncollectibles rate for each prefix in the 900 service. Its analysis shall be filed with the Commission's Advisory and Compliance Division ("ACAD"). If the uncollectibles rates for those prefixes are significantly different, Pacific Bell shall file a tariff modification which adopts a different cost allocation surcharge for each prefix, subject to Commission approval.

APPENDIX B

11. TEMPORARY DISCONNECTION OF INFORMATION PROVIDER PROGRAMS

Pacific Bell will, following discovery of and prior to investigation and resolution of the first alleged IP service violation, connect callers to a prerecorded announcement notifying the caller that his or her call cannot be completed at the time of the call. This provision for temporary IP disconnection is reflected in the tariff.

12. COST STUDIES

Pacific Bell shall submit to CACD a cost study of the 900 service, which incorporates the changes to the service outlined in this settlement, at least 30 days prior to its introduction. If the cost studies demonstrate that the service does not cover costs, the utility shall increase 900 service rates in order to recover costs.

13. CENTRALIZED CREDIT CHECK

Pacific Bell shall not include any new 900 or 976 charges in the Centralized Credit Check System data base any later than one year after the effective date of the 900 Service tariff.

14. 976 ADJUSTMENTS

Pacific Bell and GTE California, Inc. shall make 976 one-time adjustments for a maximum of two billing rounds. If the subscriber qualifies and requests a one-time adjustment, Pacific Bell and GTE California, Inc. shall limit the amount of that adjustment to the current bill and to all charges incurred up to and including the date the customer requests that adjustment. Pacific Bell and GTE California, Inc. shall implement these procedures after the effective date of a decision adopting this Settlement Agreement and Stipulation and shall apply the two billing round limitation to all adjustment requests pending at the time a decision is adopted.

Pacific Bell and GTE California, Inc. shall change their adjustment policy for unauthorized use to conform with the 900 policy of making that adjustment only if the subscriber was unaware of blocking and signs a declaration to that effect. Pacific Bell and GTE California, Inc. will continue to recharge the full amount of billing and transport for 976 adjustments unless the Commission issues a decision rescinding that policy. Pacific Bell shall submit a compliance filing in accordance with the procedure described under customer education, above, to eliminate the unauthorized use/unaware of blocking category for 976 at the same time it requests elimination of the category for 900 Service.

#### 15. ADDITIONAL 900 INFORMATION CALLING SERVICES

Pacific Bell proposes to offer two additional services: 1) information calling services trunks and 2) volume discounts for installation of lines/trunks. These services are described in the amended tariff proposal.

#### 16. CALL COUNT DISCREPANCIES

If after six months from the date of the introduction of the 900 service, IPs perceive significant discrepancies between their call counts and the number of 900 calls remitted by Pacific Bell, the parties agree to convene a workshop to consider issues related to call count discrepancies. The workshop shall be scheduled by an administrative law judge ruling following a motion by any party.

#### 17. SUPERSEDURE

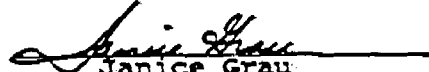
An IP or a sponsor may only supersede after having been in service for 3 months and if the supersedure includes all LATAs where the subscriber is currently paying for the service.





APPENDIX B

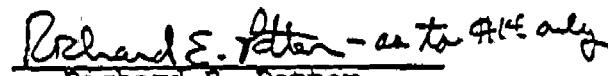
Each party, either individually or through its attorney of record, enters into this Settlement Agreement and Stipulation as of the 1st of September, 1988.

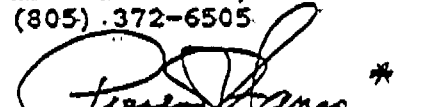
Respectfully submitted,

  
Janice Grau  
Attorney for the Division  
of Ratepayer Advocates  
California Public Utilities  
Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 557-2478

  
William F. Anderson  
Attorney for  
Pacific Bell  
140 New Montgomery St.  
San Francisco, CA 94105  
(415) 542-2695

  
Charles Ryan, President  
Information Providers  
Association  
1744 N. Euclid Avenue  
San Diego, CA 92105  
(619) 266-2400

  
Richard E. Potter  
Attorney for GTE California  
Incorporated  
One GTE Place, RC 3300  
Thousand Oaks, CA 91362-3811  
(805) 372-6505

  
Preston D. Janes  
316 West 2nd Street  
Suite 1202  
Los Angeles, CA 90012  
(213) 625-5702

\* EXCEPT 9 + 16 AND 9.53 C.Y.C. "ATTORNEY"

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES

A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)

9.5.3 INFORMATION CALLING SERVICES

ADVANCE COPY

A. DESCRIPTION

1. Description of Service

Information Calling Services are intraLATA billing and transport services for Information Providers and/or Sponsors within the Utility's franchise area. The Utility will bill the Information Provider and/or Sponsor Billing Charges on a per call basis and Transport Charges based on total connection time per call.

The Information Provider and/or Sponsor establishes an Information Charge consistent with Regulations C.2.c.(3) following, and the Utility bills the Subscriber that Information Charge for qualifying calls. The Subscriber will not be billed zone unit message or intraLATA toll charges. The Utility will remit to the Information Provider and/or Sponsor on a monthly basis for services billed to the Subscriber, see Rates and Charges D. following, less cumulative monthly Billing Charges, Transport Charges, Surcharges, and any other charges, as defined in Regulations, C.4 and Rates and Charges, D. following.

Billing and transport services offered by the Utility under Information Calling Services are for the following categories of services: Audiotex, Videotex, and live group telephone conversations.

Resource Network is the Information Calling Services offering for electronic information services including Audiotex and Videotex messages. Live voice answer of calls and/or live response for dissemination of program content by the Information Provider is specifically prohibited.

Open Forum is the Information Calling Services offering for live group telephone conversations only. The Sponsor provides the necessary Bridging Equipment and monitoring functions and must provide capability for at least six callers to be connected simultaneously.

*Information Calling Services is not intended to be the exclusive means by which persons can obtain transport and/or billing services for purposes of providing information services.*

Continued

Advice Letter No. 15338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1982  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

- 9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)

(1ST REVISED)  
ADVANCE COPY

- A. DESCRIPTION (Cont'd)  
1. Description of Service (Cont'd)

Hours of operation are established at the Information Provider's and/or Sponsor's discretion and must be displayed prominently in all advertising and promotional material. Information Providers and/or Sponsors must utilize the Utility's 900 NDCX-XXXX dialing plan for all Information Calling Services. At the Utility's discretion, Adult services on Resource Network and/or Open Forum will utilize a prefix separate from General Audience Services. Blocking of access to all prefixes of Information Calling Services will be available to the Utility's residential customers, as set forth in Schedule Cal.P.U.C. No. A9.5.4.

Information Calling Services tariff is a 24 month provisional tariff effective ~~March 6, 1988~~ and will expire on ~~March 6, 1990~~ unless extended.

2. Definitions

AUDIOTEX

A service which provides electronic information retrieval, delivery, and/or transaction completion to Information Provider's Callers via telephone or other terminal equipment provided by the Information Provider. Communication from the Caller to the Information Provider's system may be live or live and electronic. Live voice answer and/or live response by the Information Provider for program dissemination purposes is not permitted.

BILLING CHARGE

The fee charged to the Information Provider and/or Sponsor for billing the Information Charge to the Subscriber.

BLOCKING

The Utility's residential customer's ability to restrict access to Public Announcement Services.

ADULT SERVICES

Messages, conversations or other matter which implicitly or explicitly invites, describes, stimulates, excites, arouses or otherwise refers to sexual conduct, or which contains sexual innuendo that arouses or attempts to arouse sexual desire, or are patently offensive to the prevailing standards of the adult community as a whole with respect to what are suitable materials for minors, or which is "harmful" matter as defined by California Penal Code 313. The foregoing is not intended to apply to academic or clinical discussions of sex.

Continued

Advice Letter No. 15338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.

(A)

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)

- A. DESCRIPTION (Cont'd)  
2. Definitions (Cont'd)

ADVANCE COPY

(N)

~~BLOCKING SURCHARGE~~

~~A per call assessment to allow the Utility to recover costs associated with Blocking.~~

BRIDGING EQUIPMENT

The Sponsor's equipment which allows Callers to join an ongoing group conversation.

CALLER

The Utility's customer who calls the Information Provider's and/or Sponsor's Program.

COST ALLOCATION SURCHARGE

A percentage of the remitted call revenue assessed on each Program to allow the Utility to recover uncollectibles associated with calls to Information Calling Services.

DELAYED TIMING OF INFORMATION CHARGE

A product feature which delays commencement of billing of Information Charges to a Caller. The purpose of the delayed timing option is to allow time for the Caller to hang up prior to connection to the program without being billed an Information Charge.

FREE TRIAL OPTION

A period not to exceed 30 days during which no Information Charges for a selected Resource Network Program will be billed to a Subscriber.

(N)

Continued

Advice Letter No. 15338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

- 9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)

- A. DESCRIPTION (Cont'd)  
2. Definitions (Cont'd)

**ADVANCE COPY**

(N)

INFORMATION CHARGE

The price established by the Information Provider and/or Sponsor pursuant to Regulations, C.2.c.(3) following, to be paid by a Subscriber for each qualifying call to a Program.

INFORMATION PROVIDER

The customer of the Utility who subscribes to the Utility's Resource Network offering and provides an audiotex or videotex service for Callers to access.

MODERATOR

A person provided by the ~~Information Provider and/or~~ Sponsor with the task of facilitating the conversation on an Open Forum program.

MONITOR

A person provided by ~~an Information Provider and/or~~ Sponsor with the task of listening to all conversations on an Open Forum program and ensuring that all persons on the bridge are complying with the tariff provisions.

NON-PEAK INFORMATION CHARGE

Resource Network Information Providers may establish non-peak charges. If this option is selected, non-peak Information Charges will apply to the lower of two Information Provider selected rate periods, Monday-Friday, and to weekends and Utility holidays.

OPEN FORUM

An Information Calling Services offering which allows Callers to join an ongoing group conversation through the use of the Sponsor's Bridging Equipment.

(N)

Continued

Advice Letter No. 15334  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

- 9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)  
A. DESCRIPTION (Cont'd)  
2. Definitions (Cont'd)

**ADVANCE COPY**

(N)

PEAK INFORMATION CHARGE

Resource Network Information Providers may establish peak charges. If this option is selected, peak Information Charges would apply to Information Provider specified hours Monday-Friday, excluding weekends and Utility holidays.

PROGRAM

For Resource Network, the electronic information service furnished by the Information Provider. For Open Forum, the group telephone conversation coordinated and monitored by the Sponsor.

QUALIFYING CALLS

A qualifying call is any call to an Information Provider's and/or Sponsor's Program which is completed, billed, and not adjusted by the Utility or otherwise excluded or designated as non-qualifying in this tariff schedule.

RESOURCE NETWORK

An Information Calling Services offering which allows Callers to access an Information Provider's Audiotex or Videotex Program.

SPONSOR

The customer of the Utility who subscribes to the Utility's Open Forum offering and provides the Bridging Equipment.

SUBSCRIBER

A customer of the Utility as defined in Schedule Cal.P.U.C. No. A2, General Regulations.

(N)

Continued

Advice Letter No. 13338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES

A9. CENTRAL OFFICE SERVICES

- 9.5. PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)  
A. DESCRIPTION (Cont'd)  
2. Definitions (Cont'd)

ADVANCE COPY

TRANSPORT CHARGE

The fee for usage charges billed to the Information Provider/Sponsor for minutes of 900-XXX-XXXX connect time.

VIDEOTEK

An interactive service which provides information retrieval, delivery, or transaction completion for the ~~Information Provider's~~ Caller utilizing interactive databases via a terminal equipped with video display provided by the Caller. Communication from the Caller to the Information Provider's system must be electronic. Live voice answer and/or live response by the Information Provider for program dissemination purposes is not permitted.

UNCOLLECTIBLES

Information charges billed to subscribers, and not adjusted or recharged, that are found to be impractical of collection, offset by amounts collected which previously were charged as uncollectible.

Advice Letter No. 15338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)

ADVANCE COPY

B. TERRITORY

Information Calling Services will be offered only where Information Services Call Blocking (see Schedule Cal.P.U.C. No. A9.5.4) is available. Information Calling Services will be provided over facilities within the Utility's serving exchange areas, as said areas are defined on maps filed as part of the tariff schedules. Information Charges will only be applicable to qualifying calls placed from a LATA of the Utility to a number within the same LATA and transported by the Utility. All new area codes added within the Utility's serving exchange will become a part of this tariff.

The following prefixes are available for Information Calling Services:

- 900 - Area Code
  - 844 - Resource Network General Audience Programs
  - 505 - Open Forum General Audience Programs
  - 303 - Resource Network and Open Forum Adult Programs

The following wire centers will be capable of providing Information Calling Services:

- 900 - Area Code

Information Calling Services  
Wire Centers

<u>LATA</u>	<u>WIRE CENTER</u>	<u>EXCO</u>	<u>EXCHANGE</u>
LATA 1	BUSH-PINE	SF PI	SAN FRANCISCO
LATA 2	MAIN	CHCN	CHICO
LATA 3	MAIN	SACN	SACRAMENTO
LATA 4	NORTHWEST	FRSN	FRESNO
LATA 5	MADISON	LA MA	LOS ANGELES
LATA 6	MARKET	SD MA	SAN DIEGO
LATA 7	EMPIRE-TEMPLE	BAFN-BKFT	BAKERSFIELD
LATA 8	MADN	MTRN	MONTEREY
LATA 9	GRANITE	SIGR	STOCKTON
LATA 10	MAIN	SLOM	SAN LUIS OBISPO

The Information Calling Services telephone number must be served by the wire center which serves that exchange area.

Continued

Advice Letter No. 18338  
Decision No.

Issued by  
M. J. MITTER

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.



A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)

9.5.3 INFORMATION CALLING SERVICES (Cont'd)

**ADVANCE COPY**

C. REGULATIONS

1. Utility Obligations

a. General

- (1) The limitation of the Utility's liability is set forth in Schedule Cal.P.U.C. No. A2.1.14 Rule No. 14.
- (2) The Utility will disconnect any Information Provider's and/or Sponsor's Information Calling Services Program for the Information Provider's and/or Sponsor's failure to comply with any provision(s) of this Tariff Schedule or any Tariff of the Utility.
- (3) The Utility will provide a period of 18 seconds for Delayed Timing of Information Charges. If this period is exceeded, a ~~charge~~<sup>duplex</sup> will be billed the Information Charge from the time of initial connection and the Transport Charges will be billed to the Information Provider and/or Sponsor from the time of initial connection. If a Caller hangs up within this 18 second period, no Information Charge will be billed to the Subscriber and no Charges will be billed to the Information Provider and/or Sponsor for that call.
- (4) Blocking is available to the Utility's residential customers, under the terms and conditions set forth in Schedule Cal.P.U.C. No. A9.5.4.

b. Information Calling Services Facilities

- (1) Because the Utility's capacity in central office equipment and network facilities to furnish Information Calling Services is limited:
  - (a) Information Calling Services will only be furnished where the Utility's facilities and operating conditions permit. Information Calling Services calls will be transmitted and billed to the extent such facilities and operating conditions allow.

Continued

Advice Letter No. 15338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)

C. REGULATIONS (Cont'd)

1. Utility Obligations (Cont'd)

b. Information Calling Services Facilities (Cont'd)

(1) (Cont'd)

ADVANCE COPY

(b) If the Utility has reason to believe that permitting the commencement or continuation of an Information Calling Services Program in this tariff schedule is adversely affecting or would adversely affect the Utility's ability to provide, complete or maintain the level of or quality of its other services to its exchange telephone customers, the Utility may refuse to provide Information Calling Services or may discontinue providing such service. Unless, in the judgment of the Utility, an emergency condition exists or is threatened, the Utility shall give 24 hours notice of discontinuance. Where such emergency condition exists or is threatened, the Utility may discontinue the Information Calling Services Program and shall give notice of discontinuance as promptly as reasonably possible.

(2) Information Calling Services access lines<sup>and trunks</sup> are the only access ~~lines~~<sup>facilities</sup> that may be used for the Information Provider's and/or Sponsor's ICS Program. Information Calling Services access lines<sup>and trunks</sup> are provided as inward only service in multi-line hunt groups.

(3) Temporary service as defined in Schedule Cal.P.U.C. No. A2.1.1 is not offered with Information Calling Services.

(4) The advance payment and deposit requirements set forth in Schedule Cal.P.U.C. No. A2.1.7 Rule No. 7 are applicable to Information Calling Services.

(5) Supplemental Billing Service as defined in Schedule Cal.P.U.C. No. A10.5 is not offered with Information Calling Services.

(6) Mechanized Summary Billing as defined in Schedule Cal.P.U.C. No. A10.5.2 is not offered with Information Calling Services.

(7) Preferential Bill Date as defined in Schedule Cal.P.U.C. No. A10.5.2 is not offered with Information Calling Services.

Continued

Advice Letter No. 15338

Issued by

Date Filed: Jan. 25, 1988

Decision No.

M. J. Miller

Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)

C. REGULATIONS (Cont'd)

1. Utility Obligations (Cont'd)

b. Information Calling Services Facilities (Cont'd)

- ADVANCE COPY**
- (8) Number Referral Service as defined in Schedule Cal.P.U.C. No. A5.8.3 is not offered with Information Calling Services.
  - (9) Direct Inward Dialing Service as defined in Schedule Cal.P.U.C. No. A5.3.4 is not offered with Information Calling Services.
  - (10) Foreign Exchange Service as defined in Schedule Cal.P.U.C. No. A5.1.4 is not offered with Information Calling Services.
  - (11) Late Payment Charges as defined in Schedule Cal.P.U.C. No. A2.1.9.D, Rule 9 will apply to all Information Calling Services.
  - (12) Remote Call Forwarding as defined in A5.4.4 is not offered with Information Calling Services.
  - (13) The Utility does not guarantee the quality or performance of data transmission over facilities used for Information Calling Services.

c. Information Calling Services Programs

- (1) An Information Provider's and/or Sponsor's offering of any particular information service shall not preclude the Utility from providing Information Calling Services to another Information Provider and/or Sponsor offering the same or similar services.
- (2) Upon termination or discontinuance of the Information Calling Services Program in all LATAs, the telephone number for such service may be reassigned at the Utility's discretion, as set forth in Schedule Cal.P.U.C. No. A2.1.17 Rule No. 17.
- (3) An Information Provider's and/or Sponsor's Program must be similar in content in different LATAs if using the same telephone number. The Utility will not assign the same telephone number to different Information Providers and/or Sponsors in different LATAs.
- (4) The Utility will provide a separate prefix for Adult Programs.
- (5) The Utility may monitor all Information Calling Services programs without advance notification to the Information Provider and/or Sponsor.

Continued

Advice Letter No. 15338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES

A9. CENTRAL OFFICE SERVICES

- 9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)  
C. REGULATIONS (Cont'd)

**ADVANCE COPY** (N)

2. Information Provider and/or Sponsor Obligations

a. General

- (1) The Information Provider's and/or Sponsor's Programs and the promotion and provision thereof must comply with all applicable Federal, State and Local laws, rules and regulations.
- (2) The Information Provider and/or Sponsor shall be liable for and shall indemnify, defend, protect and save harmless the Utility against any and all losses, claims, demands, suits, causes of action, damages, costs or liability in law or in equity of every kind and nature whatsoever, including attorney's fees, arising directly or indirectly from the service or in connection therewith, including but not limited to any loss, damage, expense, or liability resulting from any infringement or claim of infringement of any patents, trademarks, or copyright, or resulting from any claim of libel or slander.
- (3) The Information Provider and/or Sponsor gives permission to the Utility to release the Information Provider's and/or Sponsor's name, complete mailing address, and business telephone number for inquiries to any Callers in response to inquiries or complaints. Disputes or questions concerning the nature, quality of the service or system related questions will be referred by the Utility to the Information Provider and/or Sponsor.

b. Information Calling Services Facilities

- (1) The Information Provider and/or Sponsor is financially responsible for any and all costs and expenses involved in providing their programs, including, but not limited to, the Information Provider's and/or Sponsor's premise equipment, program development, advertising, and promotional expenses. The Information Provider and/or Sponsor is financially responsible for all facilities required to connect the Information Provider's and/or Sponsor's equipment to the Utility's serving wire center, in accordance with Schedule Cal.P.U.C. No. A2.1 and with all applicable rates and charges under the Utility's Tariffs. (N)

Continued

Advice Letter No. 15338

Issued by

Date Filed: Jan. 25, 1988

Decision No.

M. J. Miller

Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES

A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)

9.5.3 INFORMATION CALLING SERVICES (Cont'd)

C. REGULATIONS (Cont'd)

2. Information Provider and/or Sponsor Obligations (Cont'd)

b. Information Calling Services Facilities (Cont'd)

**ADVANCE COPY** (N)

- (2) Prior to installation of Information Calling Services, for Utility exchange toll network sizing and protection, each Information Provider and/or Sponsor must furnish the Utility an estimate of the monthly call volumes for each service area, expected average busy hour(s), busy hour call volumes, and holding times. If the Information Provider and/or Sponsor fails to do this, the Utility will not establish the Information Provider's and/or Sponsor's Program.
- (3) The Information Provider's and/or Sponsor's premise equipment shall be interconnected in accordance with the General Conditions and applicable rates as set forth in Schedule Cal.P.U.C. No. A8.1, Connection of Customer-Provided Equipment and Systems. If the Information Provider and/or Sponsor violates this requirement, the Utility shall disconnect the Information Provider's and/or Sponsor's Program.
- (4) The Information Provider and/or Sponsor is required to subscribe to access facilities capable of supporting a minimum of six simultaneous connections for each Program. The Information Provider and/or Sponsor is required to subscribe to as many additional access facilities as, in the judgment of the Utility, are required to adequately handle calls without impairing service to others. If the Information Provider and/or Sponsor violates this requirement, the Utility shall disconnect the Information Provider's and/or Sponsor's Program.
- (5) An Automatic Dialing-Announcing Device (ADAD) to promote an Information Calling Services Program may not be used unless it complies with the Rules and Regulations, as set forth in Schedule Cal.P.U.C. No. A2.1.11, Discontinuance and Restoration of Service, or the promoted Information Calling Services Program will be disconnected.

(N)

Continued

Advice Letter No. 15338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B  
NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

- 9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)  
C. REGULATIONS (Cont'd)

2. Information Provider and/or Sponsor Obligations (Cont'd)

c. Information Calling Services Programs

- (1) The Information Provider and/or Sponsor has exclusive responsibility and control over the content, quality, and characteristics of programs or conversations conducted on the Information Provider's and/or Sponsor's equipment. The Utility assumes no liability for the quality, defects in, or content of programs or conversations. The Information Provider and/or Sponsor shall exclude from programs or conversations any matter, the dissemination of which is prohibited by law, or by rules, regulations or order of any governmental agency.
- (2) The Information Provider and/or Sponsor must submit to the Utility the classification of its program in writing, as either Adult Services or General Audience. The Information Provider and/or Sponsor must also submit to the Utility the classification of its program in writing, as either live, audiotex or videotex. The Information Provider and/or Sponsor must inform the Utility in writing of any change in category no less than 30 days prior to making the change. The Utility will assign the appropriate prefix to the Information Provider's and/or Sponsor's Program. In cases of disagreement, the Utility shall make the final decision as to assignment of prefix (Also see C.2.c. (7) following). If the Utility, in its sole discretion, and at any time, determines that a program is on an inappropriate prefix, the Utility ~~may~~ ~~can~~ disconnect such program upon ~~24-hour verbal notice to the~~ ~~Information Provider's~~ ~~Service~~ immediately. Service shall be reconnected only upon receipt by Utility of the reconnection charges in Rates and Charges, D.1. following, and reassignment of telephone number to the appropriate prefix.
- (3) The Information Provider and/or Sponsor must establish the Information Charge for the Utility to bill the Subscriber for qualifying calls. The Sponsor may establish initial minute charges different from subsequent minute charges. Each initial minute must be equal to or greater than \$0.05, but not more than \$10.00. Subsequent minute charges can range from \$0.00 to \$5.00 on Resource Network, and \$0.00 to \$1.00 on Open Forum. All amounts must be in whole dollar and cents amounts. The Information Charge must be the same in each LATA. The Utility will round fractions of minutes to the next full minute prior to rating. Calls that are less than one minute will be charged the full minute charge. The Information Charge established for subsequent minutes will be billed after rounding fractions of additional minutes to the next whole minute.

1ST REVISED  
ADVANCE COPY

(3F)

(3F)

Continued

Advice Letter No. 15333A  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1978  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)

C. REGULATIONS (Cont'd)

2. Information Provider and/or Sponsor Obligations (Cont'd)  
c. Information Calling Services Programs (Cont'd)

(3) (Cont'd)

A written request from the Information Provider and/or Sponsor to change the charges and/or rate period changes being billed by the Utility must be received at least 30 calendar days prior to the proposed effective date. ~~All advertisements during the 30 day period prior to the rate change must specify the planned price and/or rate period changes and the effective date.~~ The Information Provider and/or Sponsor will also be required to place a message on the service informing Callers of the new price and/or rate period and the effective date of such, commencing 15 days prior to the rate and/or rate period change and continuing 15 days after the rate and/or rate period change. \*

- (4) One white page directory listing will be provided at no charge for each Information Calling Services Program per LATA subscribed by an Information Provider and/or Sponsor. Additional listings may be requested at the rates specified in Schedule Cal.P.U.C. No. A5.7.1.

Each listing must include one or more lines to advise that special charges apply; however, the actual Information Charge shall not be specified.

- (5) The Information Provider and/or Sponsor shall submit to the Utility all advertising, sales promotion and other publicity relating to the subject matter of Information Calling Services wherein the Utility's name or the names Resource Network or Open Forum are mentioned or language, signs, markings or symbols are used from which the connection of the Utility's name therewith may be in the Utility's judgment, reasonably inferred or implied, and further, the Information Provider and/or Sponsor shall not publish or use such advertising, sales promotion or publicity matter without the prior written approval of the Utility.

*The Information Provider and/or Sponsor must also discontinue use of any features that allow a Caller to override the kill message during this 20 day time period.*

*An Information Provider and/or Sponsor will be allowed only one price change within any 30 day period.*

Continued

Advice Letter No. 13338

Decision No.

Issued by

M. J. Miller

Date Filed: Jan. 25, 1988

Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

- 9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)
- 9.5.3 INFORMATION CALLING SERVICES (Cont'd)

**ADVANCE COPY** (N)

C. REGULATIONS (Cont'd)

- 2. Information Provider and/or Sponsor Obligations (Cont'd)
- c. Information Calling Services Programs (Cont'd)

(5) (Cont'd)

Every advertisement or other communication which is intended to promote the Information Provider's and/or Sponsor's Program shall clearly and conspicuously display and/or disclose the maximum per initial and subsequent minute, or per call, (whichever is appropriate) Information Charge. <sup>in addition to,</sup> ~~As the Information Provider's and/or Sponsor's advertising for a given program can be seen or heard outside the subscribed LATA(s) for that program, the advertising must display the phrase "Service may not be available in some areas".~~ <sup>and/or provide a voiceover with</sup>

Each Information Provider and/or Sponsor must provide in all television advertisements a voice-over announcement and visual display of the applicable maximum per initial and subsequent minutes, or per call (whichever is appropriate) Information Charges. In all television advertisements directed to minors, an admonition to seek parental permission before calling the Information Calling Services number must also be included in a voice-over announcement.

All Information Calling Services Programs directed to minors which contain an inducement or "teaser" to call back shall include an admonition to seek parental permission before calling back and all programs encouraging a call back shall quote the maximum per initial and subsequent minute, or per call, (whichever is appropriate) Information Charge.

All Information Calling Services Programs containing a cross-promotion to another Program shall include an announcement of the maximum per initial and subsequent minutes or per call, (whichever is appropriate) Information Charge of the cross-promoted Information Calling Services Program, and cross-promotions directed to minors shall include an admonition to seek parental permission before calling.

Cross promotions <sup>or referrals</sup> from General Audience <sup>programs</sup> to Adult <sup>programs</sup> ~~Services Programs~~ shall not be permitted. (3)

*For Resource Network General Audience and Open Forum General Audience programs, the Information Provider and/or sponsor will inform minors that they must have parental permission and if they do not, they must hang up.*

Continue:

Advice Letter No. 15338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1982  
Effective:

Executive Director - State Regulatory

Resolution No.



(cc)

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES

A9. CENTRAL OFFICE SERVICES

- 9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)
- 9.5.3 INFORMATION CALLING SERVICES (Cont'd)

**ADVANCE COPY**

C. REGULATIONS (Cont'd)

- 2. Information Provider and/or Sponsor Obligations (Cont'd)
- c. Information Calling Services Programs (Cont'd)

(6) Any violation of the guidelines in C.2.c(1), C.2.c(2), C.2.c(5), ~~Can~~ C.2.d.(1), C.2.e(1), C.2.e(2), C.2.e(3), C.2.e(4) or C.2.e.(5) ~~will~~, <sup>without exception</sup> result in <sup>disconnection</sup> of the Information Calling Services Program. The Utility will <sup>provide</sup> verbal notification of the violation and ~~intended~~ <sup>disconnection</sup> ~~24~~ <sup>24</sup> hours ~~prior~~ <sup>prior</sup> to such disconnection. Schedule Cal.P.U.C. No. A2.1.11 is not applicable to this provision. The Information Calling Services shall be disconnected pursuant to the following:

- ~~First~~ <sup>Second</sup> violation within <sup>12 months of first violation</sup> 12 months <sup>of first violation</sup> - One week disconnection
- ~~Second~~ <sup>Second</sup> violation within <sup>12 months of first violation</sup> 12 months - Two weeks disconnection
- Any further violations <sup>within 12 months of first violation</sup> - Permanent Disconnection

Service shall be reconnected <sup>only upon receipt</sup> by the Utility of the reconnection charges in Rates and Charges, D.1. following, and adequate assurance in writing that any and all violations have been corrected.

(7) The Utility reserves the right to require an Information Provider or Sponsor to furnish the Utility with such information as the Utility deems necessary regarding the content, nature and advertising of an Information Calling Services program(s), in advance of the initial connection of the service or prior to any change in the general content or nature of the program(s). Any change in the general subject matter or nature of the service without adequate prior notice to the Utility, or any refusal to provide the above-required information will be grounds for disconnection of the Information Calling Services program(s).

- First violation

- Temporary interruption of service, provided correction is made within 1 month of violation. If correction is not made, the violation will become a second violation.

If there are no additional violations within 1 year of correction of a violation, Pacific will correct the Information Providers and/or Sponsors records to reflect no violations have occurred.

Continued

Advice Letter No. 15338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1938  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)

9.5.3 INFORMATION CALLING SERVICES (Cont'd)

C. REGULATIONS (Cont'd)

2. Information Provider and/or Sponsor Obligations (Cont'd)

d. Resource Network Programs

(1) For each call, the Information Provider must inform the Caller of the name of the Program, the Information Charge for the call, and that if the Caller hangs up within the delayed timing period, there will be no charge for the call. This message may not be longer than 15 seconds. The Information Provider must provide a tone to indicate the end of the delayed timing period. Audiotex programs with restricted access via PIN code or special password and videotex programs are exempted from this requirement.

For videotex programs without restricted access via PIN code or special password, the initial screen must state:

- the name of the program
- the information charge for the program

The Caller must then actively enter a command to access the program. When a Caller logs off, the final screen must give the total time and charges for the session, and then disconnect the Caller.

(2) The Information Provider may select a period for Delayed Timing of Information Charges which is greater than 18 seconds but less than 2 minutes and is a multiple of 6 seconds. A Caller will not be billed an Information Charge if they hang up within the delayed timing period. If the call exceeds this period, billing to the Subscriber will be retroactive to the time of connection. Transport Charges will be billed to the Information Provider retroactive to the time of connection if the call exceeds 18 seconds whether or not the Subscriber is billed. The Information Provider must provide a tone to indicate the end of the delayed timing period.

Adult programs must disclose that the program contains adult material and that minors should hang up. Programs that cannot be used without a directory or other instructions must disclose this information to the Caller.

must occur at the beginning of every call and

(2) Interactive programs must automatically disconnect a Caller after one minute of inactivity on audiotext or after five minutes of inactivity on videotext. This requirement does not apply to bridged calls.

Continued

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

**ADVANCE COPY**

- 9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)  
C. REGULATIONS (Cont'd)

2. Information Provider and/or Sponsor Obligations (Cont'd)  
d. Resource Network Programs (Cont'd)

<sup>4</sup>(3) The Information Provider may divide weekdays (Monday thru Friday), excluding Utility holidays, into two rate periods, i.e., peak hours and non-peak hours and may establish Information Charges for each such period. The time of day when connection actually takes place, determined by the time system - standard or daylight saving, legally or commonly in use, determines which rate applies. In cases where a message extends beyond one rate period, the connection time rate period will apply for the duration of that call. If two rate periods are selected, the lower of the rate periods will apply to weekends and Utility holidays, as defined in D.1(c), Note 1, following.

<sup>5</sup>(4) The Information Provider may select a Free Trial period during which no Information Charges will be billed to the Subscriber. The Information Provider will continue to be billed Transport, Billing and other applicable charges. The Information Provider is limited to not more than 30 consecutive days during which the Free Trial period may occur, and may not select the Free Trial option more than three times in any calendar year. Subscribers will still receive a line on their bill detailing calls made to Programs offering a Free Trial. The Information Charge will appear as \$0.00 on the Subscriber's bill. At the time an Information Provider requests a Free Trial period, they must also specify the rates to take effect at the end of the Free Trial period. Only one Non-Recurring charge for Price Changes (per program, per LATA) will apply when the Information Provider selects a Free Trial period.

e. Open Forum Programs

The following Sponsor obligations apply to all Open Forum Programs:

- (1) The Sponsor's premise bridging equipment shall have the following capabilities:

- monitoring
- identification of disruptive callers
- disconnection of callers
- tone insertion or announcement at ~~five minute intervals~~ regular intervals of 5 minutes or less

Continued

Advice Letter No. 1833A  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)  
C. REGULATIONS (Cont'd)

**ADVANCE COPY** (N)

2. Information Provider and/or Sponsor Obligations (Cont'd)  
e. Open Forum Programs (Cont'd)

The following Sponsor obligations apply to all Open Forum Programs:  
(Cont'd)

(2) Each Sponsor is required to provide a moderator to ensure the conversation is consistent with the advertised topic. Each Sponsor is also required to provide a monitoring device and, during the hours of operation, a monitor to listen to all conversations. The monitor will have the ability to enter conversations and must provide the following services:

- Advise the initial Callers reaching a vacant teleconferencing bridge that other Callers should be joining them shortly;
- Intervene when a Caller demonstrates disruptive behavior;
- Prevent Callers from giving out their full names and addresses;
- ~~Report any unlawful activity to law enforcement agencies.~~  
*Please report any Caller engaging in any*
- Ensure Callers are not minors if the Sponsor provides an Adult Service Program, and ensure minors have parental permission on Open Forum General Audience programs.

(3) Within the first 15 seconds of a call and prior to the connection to the bridge, the Sponsor will notify the caller of the following:

- the name of the program;
- the Information Charge for the call;
- that a monitor will be on the line;
- that if they hang up immediately, they will not be charged.

(4) Prior to connection to the teleconferencing bridge, the Sponsor will notify the caller of the following:

- that they will hear a tone or announcement at <sup>regular</sup> 5-minute intervals of 5 minutes or less, in order to keep track of their charges;
- that they are advised not to give out their full name and address;
- that if they are a minor, they should get parental permission;
- that the program is restricted to adults if the Sponsor provides an Adult Service Program;
- that minors should seek parental approval for Open Forum General Audience programs

Continued

Advice Letter No. 15338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES

A9. CENTRAL OFFICE SERVICES

ADVANCE COPY

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)

9.5.3 INFORMATION CALLING SERVICES (Cont'd)

C. REGULATIONS (Cont'd)

2. Information Provider and/or Sponsor Obligations (Cont'd)

e. Open Forum Programs (Cont'd)

(4) Each Sponsor shall provide each Caller with a tone or announcement at five-minute intervals of 5 minutes or less.

(5) Each program must have the capability of allowing at least six callers to be simultaneously connected to each other.

3. Subscriber Obligations

a. The Utility will bill Subscribers for Information Charges for qualifying calls. Charges will be billed to the calling (originating) number, or Calling Card.

b. Information Calling Services calls which are billed to Utility Calling Card or Utility operator handled will be charged the Information Charge plus the appropriate surcharges for special handling. See Schedule Cal.P.U.C. No. A6.2.1 for the surcharge rates.

c. The Subscriber is responsible for payment of all Information Calling Services charges billed and not yet adjusted by the Utility in accordance with this Tariff Schedule and Schedule Cal.P.U.C. Nos. A2.1.9 and A2.1.11, and any other applicable Schedule Cal.P.U.C. Tariffs.

The Utility will not disconnect local service for non-payment of Information Charges; however, the Utility will inform the subscriber by mail of financial responsibility for Information Charges and that if they are not paid, the Utility will equip the subscriber's line or lines with blocking. The subscriber will be responsible for the payment of rates and charges for blocking as specified in Schedule Cal.P.U.C. No. A9.5.4. Regulations governing the payment for blocking provided under the provisions of this paragraph are the same as those for other services provided by the Utility as specified in Schedule Cal.P.U.C. Nos. A2.1.9 and A2.1.11. Additional terms and conditions regarding blocking are set forth in Schedule Cal.P.U.C. No. A9.5.4.

Continued

Advice Letter No. 153388

Decision No.

Issued by

M. J. Miller

Date Filed: Jan. 25, 1983

Effective:

Executive Director - State Regulatory

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

- 9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)  
C. REGULATIONS (Cont'd)

**ADVANCE COPY**

4. Billing and Remittance

- a. The Utility will bill the Subscribers the Information Charge established by the Information Provider and/or Sponsor pursuant to Regulations, C.2.c.(3) preceding.
- b. Remittances to the Information Provider and/or Sponsor are based upon the total number of Information Calling Services completed calls which are qualifying. A qualifying call is any call which is billed by the Utility with the Information Provider's and/or Sponsor's designated Information Charge.

Any call which is connected to the Information Provider's and/or Sponsor's Program, but for which an Information Charge is not billed by the Utility to the Subscriber is not a qualifying call, and will not be included in the Utility's remittance to the Information Provider and/or Sponsor. The Utility's records of the number of qualifying calls made to each Information Calling Services will serve as the sole source of information upon which remittance will be made.

Subscriber adjustments will be recharged to the Information Provider and/or Sponsor when it is established that the Information Charge for the call was not stated within the delayed timing period pursuant to Regulations, C.2.d.(1) and C.2.e.(3) preceding.

The Utility shall not be responsible for remitting for any calls that cannot be connected or that are connected but cannot be billed, or that are billed incorrectly, including but not limited to, those calls that cannot be connected or billed as a result of repair or maintenance difficulties on Utility facilities and equipment, or on equipment provided by the Information Provider and/or Sponsor.

Calls which connect to the Information Provider's and/or Sponsor's Program, but which disconnect within the "Delayed Timing Period," are not qualifying calls and will not be included in the Utility's remittance to the Information Provider and/or Sponsor.

Continued

Advice Letter No. 15338  
Decision No.

Issued by  
M. J. Miller

Date Filed: Jan. 25, 1988  
Effective:

Executive Director - State Regulatory

Resolution No.

EE

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES

A9. CENTRAL OFFICE SERVICES

*2nd Review*

ADVANCE COPY

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)

9.5.3 INFORMATION CALLING SERVICES (Cont'd)

C. REGULATIONS (Cont'd)

4. Billing and Remittance (Cont'd)

- c. The following are also non-qualifying types of calls and the Utility will attempt to restrict such calls from connecting to Information Calling Services telephone numbers:
- Third party calls billed third party to Information Calling Services telephone numbers
  - Collect calls
  - Calls requiring time and charges quoted by the Utility operator
  - Calls originating from the Prison Class of Service
  - Calls originating from the Utility operator handled and direct dialed Mobile Class of Service
  - Calls originating from the Utility WATS Class of Service including Universal and Two-Way WATS
  - Calls originating from Hospital Class of Service, unless billed to calling card.
  - Calls originating from Hotel/Motel Class of Service, unless billed to calling card.
  - Magnetic Strip Reader Phone calls billed to Commercial Credit Cards
  - Coin Sent Paid
  - Person to Person calls handled by the Utility operator
  - Out-of-LATA calls
  - Customer-Owned and Utility-owned Pay Telephone, unless billed to calling card.
  - Cellular and other Exchange and Interexchange Carriers with whom the Utility has no billing arrangement.
  - Credit card calls charged to an account outside of the Utility's territory
  - Calls made through Dual Party Relay Service.

Calls in these categories which are connected, and for which the Utility can bill the Subscriber, will be remitted to the Information Provider and/or Sponsor.

*where technically feasible, all*  
Calls that are connected but are not billed to the Subscriber will be categorized on the remittance invoice and will not be remitted to the Information Provider and/or Sponsor.

d. Adjustments

(1) Subscriber Adjustments

The Utility shall make a one-time adjustment for ICS charges per Subscriber account if it is established that either (1) calls were made by subscriber's minor children without parental consent or (2) the calls were not authorized by the subscriber, and the subscriber was not aware of blocking options (see A9.5.4).

Continued

Advice Letter No. 153388

Decision No.

Issued by

M. J. Miller

Executive Director - State Regulatory

Date Filed: Jan. 25, 1988

Effective:

Resolution No.

A.88-04-004 et al.--APPENDIX B

NETWORK AND EXCHANGE SERVICES

A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)

9.5.3 INFORMATION CALLING SERVICES (Cont'd)

C. REGULATIONS (Cont'd)

4. Billing and Remittance (Cont'd)

d. Adjustments (Cont'd)

ADVANCE COPY

(2) Adjustments requested due to poor transmission quality caused by the Information Provider's and/or Sponsor's equipment will be made at the discretion of the Utility.

(3) Subscribers shall be entitled to adjustments if they were unaware there was an Information Charge for the call and it is established that the Information Provider and/or Sponsor had not disclosed the charge as required by Regulations, C.2.d.(1) and C.2.e.(3) preceding.

(4) In addition, other adjustments may be made in accordance with standard Utility practices.

*see attached page 6*  
(5) ~~Before an adjustment of one hundred dollars (\$100.00) or more will be made, the Utility shall receive a signed declaration from the Subscriber requesting an adjustment. The Utility may, at its discretion, require a signed declaration for adjustments of less than one hundred dollars (\$100.00).~~

e. Cost Allocation Surcharge

(1) Each month the Utility will bill a 2.5% Cost Allocation Surcharge to Information Providers and/or Sponsors based on the amount computed according to g., Remittance, following.

(2) At one year intervals from the date of tariff implementation, the Utility may revise the Cost Allocation Surcharge. The revised Cost Allocation Surcharge would be computed as follows:

- ~~The sum total of ICS uncollectibles for the previous twelve months, including bad debt as well as the Utility's transport and billing charges on adjusted calls; DIVIDED BY,~~

- The previous twelve months total amount of qualifying ICS usage minutes times (x) the applicable Information Charges, less the Utility's associated Transport and Billing Charges.

(3) At the time a new Information Calling Services account is established, the Cost Allocation Surcharge in effect will be used. (22)

(2) *If the Subscriber qualifies and requests a one-time adjustment the amount of that adjustment shall be limited to the current bill and all charges incurred up to the date the customer requests an adjustment. In no event shall the adjustment exceed two bill rounds.*

Continued

Advice Letter No. 153325

Decision No.

Issued by

M. J. Miller

Executive Director - State Regulatory

Date Filed: Jan. 25, 1988

Effective:

Resolution No.



**THE NEXT** 1

**DOCUMENTS ARE**

**POOR ORIGINALS**

*MICROFILMING SERVICES*

*will not assume responsibility*

*for the image quality*

pg. 337

(6) Before an adjustment for fifty dollars (\$50.00) or more will be made for calls made by subscribers minor children without parental permission, the Utility shall receive a signed declaration from the subscriber requesting an adjustment. F

The Utility may, at its discretion, require a signed declaration for adjustments of less than fifty dollars (\$50.00) or for other types of adjustments.

Before an adjustment is made for calls that were ~~un~~unauthorized by the subscriber, the Utility shall receive a signed declaration from the subscriber requesting an adjustment and stating that they were unaware of blocking options.

**ADVANCE COPY**  
NETWORK AND EXCHANGE SERVICES

**A9. CENTRAL OFFICE SERVICES**

- 9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)  
C. REGULATIONS (Cont'd)  
4. Billing and Remittance (Cont'd)

e. Cost Allocation Surcharge (Cont'd)

~~(4) The cost allocation surcharge is that percentage of the next 12 months' forecasted remittances to Information Providers and Sponsors that will cover forecasted uncollectibles for the next 12 months. Forecasted uncollectibles include bad debt as well as billing and transport charges for calls that have been adjusted. Forecasted figures will be based on trends current when the surcharge is computed.~~

f. The Information Provider's and/or Sponsor's Information Calling Services may be discontinued pursuant to the procedures set forth in Schedule Cal.P.U.C. Nos. A2.1.9 and A2.1.11 for the Information Provider's and/or Sponsor's failure to make full payment for the Utility's services provided under this Tariff Schedule.

g. Remittance

The Utility will compute credits and debits per program, monthly, based on the following formula:

- Total amount of qualifying Information Calling Services usage minutes times (X) the applicable Information Charges, less the Utility's associated Transport and Billing Charges, LESS.
- The Cost Allocation Surcharge of 2.5% times (X) the balance from above, LESS
- The full amount of each adjustment as described in C.4.d (1) and (2) preceding, less associated Transport and Billing Charges, LESS
- Any nonrecurring and/or recurring charges, LESS
- Any applicable state, federal or local taxes and/or surcharges.

The Utility will issue a remittance check monthly for any amounts owed the Information Provider and/or Sponsor. Included with the Information Calling Services Information Provider's and/or Sponsor's monthly bill will be a usage summary on which the amount of remittance, if any, is based.

Continued

NETWORK AND EXCHANGE SERVICES  
 A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
 9.5.3 INFORMATION CALLING SERVICES (Cont'd)

**ADVANCE COPY**

(N)

D. RATES AND CHARGES

1. Applicable to the Information Calling Services Information Provider and/or Sponsor

a. Establishment of and Changes in Information Calling Services

<i>for reassignment of existing facilities to a new service.</i>	<u>Nonrecurring Charge</u>	<u>Monthly Rate</u>	<u>USOC</u>
(1) Establishment of Service, <sup>1</sup> Reconnection, <del>or Supersedure</del> <sup>2</sup> - per program, per LATA	\$2000.00	NO	A44
(2) <sup>Supersedure</sup> Add, delete or change of: Price, Address, or Telephone Number. (Resource Network and Open Forum) Rate Period or Delayed Timing (Resource Network only) - per program, per LATA	250.00	NO	A66
(3) Information Calling Services access lines <sup>3 5</sup> - per line	200.00 <sup>4</sup>	\$20.00	1BL
(4) Information Calling Services access trunks <sup>5 5</sup> - per trunk	350.00 <sup>4</sup>	35.00	

NOTE 5: This does not apply to existing facilities used for a new number or service.

NOTE 2: An Information Provider and/or Sponsor may only supersede after having been in service three months and the supersedure includes all LATAs where the program is currently offered.

NOTE 4: A 30% discount will apply when a quantity of 500 or more is installed in the same location at the same time. These services must be retained for a minimum of 3 months or the discount will not apply.

NOTE 1: The Establishment of Service includes the charge for Information Provider and/or Sponsor selected Information Charge and message length for both new establishment and ~~supersedure~~<sup>2</sup> of service. Also, the per Access line supersedure charge, as set forth in Schedule Cal.P.U.C. No. A3.1.4, Special Billing - All Services is applicable.

NOTE 3: See Regulations C.2.b.(4) preceding, for minimum line requirement.

Continued

Advice Letter No. 15338  
 Decision No.

Issued by  
 M. J. Miller

Date Filed: Jan. 25, 1988  
 Effective:

Executive Director - State Regulatory

Resolution No.

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICES

9.5 PUBLIC ANNOUNCEMENT SERVICES (Cont'd)  
9.5.3 INFORMATION CALLING SERVICES (Cont'd)

**ADVANCE COPY**

(N)

D. RATES AND CHARGES (Cont'd)

1. Applicable to the Information Calling Services Information Provider and/or Sponsor (Cont'd)

b. Facilities

Rates and charges specified elsewhere in the Utility's Tariffs apply for all facilities required to connect the Information Provider's and/or Sponsor's premise equipment for each program to the wire center facility.

c. Transport and billing of service to Information Provider and/or Sponsor

Special transport rates apply to the 900 NXX-XXXX dialing plan calls. The transport charge is non-distance sensitive. The transport usage charges will be billed to the Information Provider and/or Sponsor.

	<u>Charge</u>	
(1) Billing		
- per call		\$ .05
(2) Resource Network	<u>First</u>	<u>Additional</u>
Transport Charge <sup>1</sup>	<u>Minute</u>	<u>Minutes</u>
- per call, day rate period	\$ .20	\$ .09
- per call, night/weekend rate period	.19	.06
(3) Open Forum	<u>First</u>	<u>Additional</u>
Transport Charge	<u>Minute</u>	<u>Minutes</u>
- per call	\$ .20	\$ .09

NOTE 1: Day rates apply to hours between 8 AM and 5 PM on weekdays (Monday through Friday excluding Utility holidays). Night/Weekend rates apply at all other times. The method of applying rates is found in Schedule Cal.P.U.C. No. A6.2.1, and A4.a(9)-(11).

(N)

Advice Letter No. 15338  
Decision No.

Issued by  
N. J. Miller

Date Filed: Jan. 25, 1983  
Effective:

Executive Director - State Regulatory

Resolution No.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all known parties of record in this proceeding by mailing by first-class a copy thereof properly addressed to each party as shown on the attached list.

Dated at San Francisco, California, this 1st day of September, 1988.

/s/ LAURA M. ZARRY

---

Laura M. Zarry

## SERVICE LIST for A.88-04-004/A.87-05-049

Earl Nicholas Selby  
Attorney at Law  
420 Florence Street, Ste. 200  
Palo Alto, CA 94301

Robert Gnaizda  
Attorney at Law  
1535 Mission Street  
San Francisco, CA 94103

Eric L. Chase  
60 Pompton Avenue  
Verona, New Jersey 07044

Charles E. Ryan, Jr.  
1744 N. Euclid Ave.  
San Diego, CA 92105

William F. Anderson  
Scott Johnson  
Attorney at Law  
140 New Montgomery St.  
Room 1018  
San Francisco, CA 94105

Ron R. Goldie  
Attorney at Law  
12100 Wilshire Blvd.  
Ste 1100  
Los Angeles, CA 90025

Richard E. Potter  
Attorney at Law  
One GTE Place, RC 3420  
Thousand Oaks, CA 91362

Wayne B. Cooper  
Farrand, Cooper, Metzler  
& Buiniers  
701 Sutter St., 7th Floor  
San Francisco, CA 94102

Robert Brylawski  
4200 Mountain Blvd.  
Oakland, CA 94619

T. MacBride, Attorney  
D. Simpson, Attorney  
Armour, St. John, Goodin  
& Schlotz  
505 Sansome Street  
San Francisco, CA 94108

William H. Booth, Esq.  
Jackson, Tufts, Cole & Black  
650 California Street, Suite 3130  
San Francisco, CA 94108

Carol A. Brennan  
Phone Programs, Inc. of  
California  
919 Third Avenue  
New York, New York 10022

Robert H. Gloistein  
Orrick, Herrington & Sutcliffe  
600 Montgomery Street  
San Francisco, CA 94111

William G. Irving  
County of Los Angeles  
1100 North Eastern Avenue  
Los Angeles, CA 90063

Preston D. Janes  
316 W. 2nd Street, Suite 1202  
Los Angeles, CA 90012

Hal McClinton  
435 Alberto Way, #7  
Los Gatos, CA 95030

Phil Wiley  
Multilink Incorporated  
550 West "B" Street, Suite 201  
San Diego, CA 92101

Lee L. Blackmun, Esq.  
McDermott, Will & Emery  
2049 Century Park East  
Suite 3800  
Los Angeles, CA 90067-3108

APPENDIX B

Lawrence Bearg  
98 Lundy's Lane  
San Francisco, CA 94110

Alan M. Weiss  
Attorney at Law  
201 Spear Street  
San Francisco, CA 94105

Rebecca A. Gonzales, Manager  
External Affairs  
Regulatory Information Center  
795 Folsom Street, Room 240  
San Francisco, CA 94107

Iyon Pike  
Continental Telephone Company  
4900 California Avenue  
Bakersfield, CA 93389

CPTC Staff:

ALJ Gregory L. Wheatland

R. Weissman

G.S. Dunham

Kim Malcolm

Chris Ungson

G.S. Dunham

(END OF APPENDIX B)