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Decision 96-10-055 October 25, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Volcano Telephone Company (U 1019 C), for authority to offer Caller ID service and other advanced calling services.

ORIGINAL

Application 96-07-004 (Filed July 2, 1996)

OPINION AUTHORIZING IMPLEMENTATION OF CALLER ID AND OTHER ADVANCED SERVICES

On July 2, 1996, Volcano Telephone Company (Volcano) filed an application seeking authority to offer advanced calling services, including calling party identification service (Caller ID). Pursuant to our Caller ID decisions, implementation of a customer notification and education plan (CNEP) is a prerequisite to the offering of certain privacy-related features.1 In Resolution T-15947, we authorized Volcano to implement its CNEP. By this decision, Volcano's application for authority to offer certain advanced calling services is approved.

1. Volcano's Request

Volcano seeks authority to offer certain advanced services at the proposed rates. Specifically, it requests authority to offer:

1 See decisions (D.) 92-06-065 (44 CPUC2d 694) and D.92-11-062 (46 CPUC2d 482), the Caller ID decisions. Privacy-related features include, for example, Call Return, Call Block, and Caller ID.

1. Anonymous Call Rejection
2. Call Rejection
3. Call Return
4. Preferred Call Forwarding
5. Priority Ringing
6. Repeat Dialing
7. Special Call Acceptance
8. Caller ID (including selective and complete blocking)
9. Call Trace

Protests to this application were to be filed no later than August 16, 1996. No protests have been filed. No hearing on the application is necessary.

1.1 Description of the Proposed Services

Anonymous Call Rejection enables a customer to reject incoming calls from phone lines that have a privacy indicator attached. When activated, Volcano will not complete a call to its customer when the calling party has activated Caller ID blocking. Such calls would be routed to a company recorded announcement. Those calls will be treated as incomplete calls and not billed to the calling party. Anonymous Call Rejection is included with Caller ID at no charge.

Call Rejection allows a customer to reject up to a maximum of six preselected incoming telephone numbers from which the customer does not wish to receive calls. Callers whose numbers are rejected are directed to a company recorded announcement. Those calls are treated as incomplete calls and not billed to the calling party.

Call Return enables the customer to automatically redial the telephone number of the most recent incoming call. Volcano's equipment will make repeated attempts to establish the call for approximately 30 minutes if the most recent incoming call's line is busy.

Preferred Call Forwarding allows the customer to forward up to a maximum of six preselected incoming telephone numbers to another telephone number.

Priority Ringing allows the customer to provide up to a maximum of six preselected telephone numbers with a distinctive alerting signal or ring (or Call Waiting tone if the customer has subscribed to Call Waiting) when the customer receives calls from them.

Repeat Dialing enables the customer to automatically redial the last outgoing telephone number dialed from that line. When the recalled number is busy, the company's equipment will make repeated attempts to establish the call for a 30-minute period.

Special Call Acceptance enables a customer to allow a maximum of six preselected telephone numbers to be accepted. The company's equipment will screen incoming calls against the customer's list of preselected numbers and allow only those calls to be completed. Calls from other numbers are routed to a company recorded announcement. Those calls will be treated as incomplete calls and not billed to the calling party.

Caller ID displays to the subscribing called party who has a specially designed phone or device attached to the phone, the telephone number from which the calling party has placed the call. The Caller ID service proposed includes the selective and complete blocking options required to be made available by the

Federal Communications Commission (FCC) and this Commission:² If the calling party has blocked his number, the Caller ID subscriber receiving the call will see a "private number" message on his display device. Depending on the capabilities of the Caller ID device the subscriber selects, Caller ID may also allow a subscriber to record incoming phone numbers for later use (even when the call is not answered).

Call Trace enables the customer to initiate a trace of the last incoming call completed. Upon completion of a successful trace, the customer will be assessed a Call Trace fee. The results of the trace are never provided to the customer directly, but rather, upon the customer's request, are forwarded to the appropriate law enforcement agency(ies).

1.2 Proposed Rates and Tariffs

Volcano proposes to offer these services, with the exception of Caller ID and Call Trace, at a single, monthly rate of \$3.00, applicable to both residential and business customers. A multiple feature discount plan is also proposed. It reduces the total monthly rate in increments of \$0.75 when a customer subscribes to two or more of the features. Caller ID and Call Trace are not offered as part of the discount package.

² "Selective blocking," also referred to as per-call blocking, allows a customer to block transmission of the calling number by pressing a code (*67 or 1167 on a rotary phone) before each call made. It provides minimum privacy protection. "Complete blocking," also referred to as per-line blocking, automatically blocks transmission on each call placed. If the customer chooses to transmit the number on a specific call, he may press *82 (or 1182 on a rotary phone) before dialing the phone number. Complete blocking provides maximum privacy protection.

Volcano proposes to offer Caller ID service at a single, monthly rate of \$5.50. Volcano proposes to not charge a customer for his/her initial blocking options selection, but proposed to charge customers \$5.00 for blocking option changes after January 1, 1997. It proposes to offer Call Trace, which it characterizes as a usage sensitive feature, at \$4.00 per successful trace, with a monthly cap of \$12.00.

Volcano asserts that its proposed rates are lower than the residential rates approved for Pacific Bell, GTE California, Contel, and Citizens Telephone, and the same as the single rate approved for Happy Valley Telephone. On this basis, it requests that its rates be authorized as just and reasonable.

We find Volcano's proposed rates are reasonable, with one exception. In our Caller ID decisions, we required the local exchange carriers to allow each customer to change their blocking option choice one time free of charge. No time limit was placed on the "one time free" requirement. Volcano has proposed customers be allowed to change blocking option choice free of charge until January 1, 1997. Volcano offers no explanation or justification for why its customers should be treated differently than the customers of other carriers authorized to offer Caller ID. Therefore, Volcano shall amend its proposed tariffs to state that each customer may change blocking option one time free of charge.

We also note that the tariff language needs to be modified to ensure clarity and consistency between the filed tariff and the education campaign. In describing the Caller ID blocking features in its tariff, Volcano used the "complete" and "selective" blocking option descriptors used in the education campaign. But in tariff Section A-40(7), Rates, Caller ID

blocking features are identified as "per call" and "per line." The tariffs should be amended to use the "complete" and "selective" blocking option descriptors throughout.

1.3 Compliance "Tracking" Report

In our Caller ID decisions, we require a periodic compliance report (Ordering Paragraph 8, D.92-11-062, Attachment 1 (46 CPUC2d 482 at 491)). This report tracks subscription to Caller ID and selection of blocking choices among customer groups. It is required to be filed with the Director of the Telecommunications Division, successor to the Commission Advisory and Compliance Division, every six months following the offering of Caller ID. When modified to conform with the default blocking mechanism adopted by the FCC, as affirmed by the United States Circuit Court, this report includes:³

- a. The number of customers subscribing to Caller ID;
- b. The number of subscribers choosing selective blocking;
- c. The number of subscribers choosing complete blocking;
- d. The number of subscribers ordering a change from their initial blocking option, broken down by option changed from and option changed to;
- e. The number of subscribers assigned default selective blocking;
- f. The number of subscribers with unlisted and unpublished numbers with

³ See the U.S. Court of Appeals opinion in California v. FCC, 9th Circuit No. 94-70197, et al.

a breakdown of those subscribers by choice of blocking option or assignment of default selective blocking; and

- g. The number and nature of complaints concerning the service.

Volcano's proposed tracking report complies with this requirement.

Findings of Fact

1. There is no opposition to Volcano's application.
2. Volcano's proposed advance services rates are comparable to the rates charged by other carriers which were authorized by this Commission.
3. In our Caller ID decisions, we required the local exchange carriers to allow each customer to change their blocking option choice one time free of charge. No time limit was placed on the "one time free" requirement (Ordering Paragraph 3, D.92-11-062, Attachment 1 (46 CPUC2d 482 at 491)).
4. In our Caller ID decisions, we require a periodic compliance report (Ordering Paragraph 8, D.92-11-062, Attachment 1 (46 CPUC2d 482 at 493)).

Conclusions of Law

1. The rates Volcano proposes are reasonable.
2. To ensure clarity and consistency between the filed tariff and the education campaign, the tariffs should be amended to use the "complete" and "selective" blocking option descriptors.
3. Volcano should amend its proposed tariffs to state that each customer may change blocking option one time free of charge.

4. Volcano should file a tracking report with the Telecommunications Division every six months following the offering of Caller ID.

O R D E R

IT IS ORDERED that:

1. Upon making an awareness showing, pursuant to Resolution T-15947, approved by the Commission, Volcano Telephone Company (Volcano) is authorized to offer the specified advanced services at the rates and charges proposed for these services, except that Volcano shall amend its proposed tariffs to conform to the descriptions used in the education campaign, and to provide that each customer may change blocking option one time free of charge.

2. Volcano shall file a tracking report with the Director of the Telecommunications Division every six months following the offering of Caller ID. This report will include:

- a. The number of customers subscribing to Caller ID;
- b. The number of subscribers choosing selective blocking;
- c. The number of subscribers choosing complete blocking;
- d. The number of subscribers ordering a change from their initial blocking option, broken down by option changed from and option changed to;
- e. The number of subscribers assigned default selective blocking;

- f. The number of subscribers with unlisted and unpublished numbers with a breakdown of those subscribers by choice of blocking option or assignment of default selective blocking; and
 - g. The number and nature of complaints concerning the service.
3. This proceeding is closed.
This order is effective today.
Dated October 25, 1996, at Sacramento, California.

P. GREGORY CONLON
President
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners

Commissioner Daniel Wm. Fessler,
being necessarily absent, did not
participate.