

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
TELECOMMUNICATIONS DIVISION
RESOLUTION T-15966
October 9, 1996

R E S O L U T I O N

RESOLUTION T-15966, GTE CALIFORNIA INCORPORATED (GTEC). (U-1002-C). REQUEST FOR AUTHORIZATION TO OFFER AUTOMATIC CALL REJECTION SERVICE TO RESIDENTIAL AND BUSINESS CUSTOMERS AND AUTHORIZATION TO OFFER CALLER ID - NAME AND NUMBER SERVICE NOT ONLY TO BUSINESS AND RESIDENTIAL CUSTOMERS BUT ALSO TO CENTRANET CUSTOMERS. GTEC ALSO REQUESTS TO CHANGE THE NAME OF ITS CURRENT CALLING NUMBER IDENTIFICATION SERVICE FROM CALLER ID SERVICE TO CALLER ID - NUMBER SERVICE.

BY ADVICE LETTER NO. 8182, FILED ON JULY 16, 1996 AND SUPPLEMENTED BY ADVICE LETTER NO. 8182A ON SEPTEMBER 25, 1996 AND BY ADVICE LETTER NO. 8183 FILED ON JULY 16, 1996.

SUMMARY

This resolution authorizes GTEC to offer two new custom calling services. The first, Automatic Call Rejection (ACR) Service, allows the subscriber to reject any call in which the caller's telephone number has been blocked. Callers will hear a prerecorded announcement which notifies them that the called party does not accept blocked calls. The second is Caller ID - Name and Number Service, which allows the subscriber to receive both the name and the telephone number of the caller. Before offering these two services, however, GTEC is required to notify all of its affected customers. This notification shall be approved by the Telecommunications Division and the Public Advisor. GTEC is also authorized to change the name of its current calling number identification service (Caller ID) to Caller ID - Number Service.

BACKGROUND

In 1989, in Public Utilities (PU) Code Section 2893, the California legislature adopted rules for the offering of telephone call identification services. The statute requires that customers be notified 30 or more days before the service commences and that they be allowed to withhold display of their telephone numbers from the telephone instrument of the called party.

In 1992, in D. 92-06-065, the Commission authorized Pacific Bell, GTEC and Contel of California, Inc. to offer Caller ID service to their customers. In this decision the Commission also granted permission to the applicants to offer Anonymous Call Rejection (ACR) service through an advice letter filing. The Commission also directed applicants to enlarge the public education program (required prior to offering Caller ID and other privacy related services) to include a description of this service in a manner consistent with the informational goals identified in the decision. In D. 92-11-092, issued in response to appeals of aspects of D. 92-06-065, the Commission affirmed its approval of ACR service.

At the time of the consolidated proceeding the Calling Name Delivery feature had just been developed, was undergoing market trials, and was not included by applicants in their offering. One party, in advocating alternative forms of identification to the caller's telephone number, suggested calling name delivery as an option. Although originally it could be offered as a stand alone service, today the service is configured only as an add - on feature to the provision of a caller's telephone number.

GTEC began offering Caller ID service to its business, residential and Centrenet customers on July 1, 1996. On July 16, 1996, GTEC filed two new advice letters. Advice Letter No. 8182 includes GTEC's request for authorization to offer both ACR service and Caller ID - Name and Number service to business and residential customers. Advice Letter No. 8183 includes GTEC's request for authority to offer only Caller ID - Name and Number Service to its Centranet customers.

In GTEC's Supplemental Advice Letter No. 8182A, GTEC agreed to amend its tariff concerning ACR service to provide that callers whose calls were rejected would not be charged or billed for this incomplete call. GTEC also agreed to provide a bill insert. Additionally GTEC clarified issues raised by staff, namely that only names of GTEC customers would be provided by Calling Name Service. Names from other utility customers would be provided if and when these utilities offered this service. Last, GTEC clarified rates for ACR and Caller ID - Name and Number Service.

Due to the fact that Advice Letter No. 8183 includes the same service, Caller ID Name and Number Service, as is requested in Advice Letter No. 8182, and raises similar issues, it is included in this resolution.

PROTESTS

Public notification of GTEC's advice letters No. 8182 and 8183 appeared in the Commission's Daily Calendar on July 22, 1996. GTEC received two protests to advice letter No. 8182; one was from the Division of Ratepayer Advocates (DRA) and the other from Glen Meloy. Both were timely filed. GTEC filed a supplemental advice letter, No. 8182 A, on September 25, 1996.

Both of the protests recommended that an application should be filed for approval of Calling Name Delivery Service. Both stated that the addition of this feature to the provision of the caller's telephone number results in greater privacy concerns and therefore requires the opportunity for customer input, as was allowed when GTEC applied for Caller ID service. DRA recommends that the Commission reject the advice letter, and require GTEC to file an application or to suspend the advice letter allowing for public participation hearings as well as evidentiary hearings.

DRA also bases its recommendations on the fact that calling name delivery service reveals the billing name of record, rather than the name of the person calling, which may be problematic for GTEC's customers. DRA cites issues which were not spelled out in the advice letter, such as whether an existing database will be used or whether a new database will be created, possibly adding additional cost of providing the service. Concerning ACR service, DRA recommends that GTEC amend its tariff sheet to clarify that customers not be charged for incomplete calls.

Mr. Meloy's protest also stressed the need for customers to be given the appropriate time to insure that their privacy and safety rights are protected. He also cited the confusion which could arise if a different name than that of the caller were provided. Meloy believes that customers who have chosen selective blocking may, when learning of GTEC's plan to identify callers' names as well as telephone numbers, reevaluate their blocking choice which argues for a full disclosure of the service.

Meloy also mentions the opinions of two industry leaders, dealing in number appending services and mailorder services who, in both instances, could see no advantage in their operations by having the billing name of record transmitted. In summary he believes that full public disclosure and education through main stream media as well as by both billing statement printings and bill inserts are required in advance of any ruling (by the Commission).

GTEC's response discounted protestants' recommendation that an application is required for offering calling name delivery, stating that it is an enhancement to an existing Category II service, appropriately being requested through the Advice Letter process. GTEC discounts DRA's assertion that adding this service so closely to the recently completed customer notification and education program (CNEP) on Caller ID service would be confusing. To the contrary, GTEC asserts that the (CNEP) has resulted in customers having a heightened sense of awareness that heretofore did not exist. Customers, according to GTEC, are aware of how Caller ID works and what their blocking options are. Therefore, this new service will not be difficult to convey nor comprehend.

Regarding Meloy's assertion that there is no commercial advantage evidenced by the transmission of a caller's name in addition to the telephone number, GTEC submits that the major

market for this service is the consumer market. GTEC states that it is largely used for security purposes, particularly for customers with children at home who have been instructed to only answer calls from designated people. Other indications of the value of the service, according to GTEC, are for customers who work at home who can greet the caller appropriately and allow other calls to be sent to a recorder for later use. Also, many people use this service to know who called while they were away.

GTEC stresses that it will continue to work through the community outreach groups to further educate on blocking options. Finally, GTEC will prepare bill inserts on this new service. Regarding ACR service, GTEC agrees with DRA's suggestion that its tariff should be amended to indicate that calls which terminate at the central office switch will be treated as incomplete calls and callers will not be billed or charged for their calls.

DISCUSSION

As stated above under background, the Commission has already indicated its approval of ACR service, so the only issue remaining is what type of notice will satisfy the requirements set forth in the Commissions' 1992 decisions on Caller ID service and other CLASS services.

Regarding Calling Name Delivery Service, we believe that the central issue raised by protestants is the need for customers to become fully aware of this service, how it works, how it may affect them and how they can protect themselves from any unwanted disclosure of their identity. For example, the addition of their name being identified might present different reasons for whether or not customers might identify themselves to called parties.

We believe that PU Code Section 2893 provides guidance in this area, requiring customer notification of calling number identification services to customers at least 30 days before the service commences. Although the statute does not specify calling name delivery service, we agree with the protestors' claims that this service may present similar privacy issues to the public and therefore believe that we should adopt the requirement of notification of the service to affected customers thirty days before the service is instituted.

Our recent experience with the utility CNEPs concerning Caller ID service shows not only that customers do care about their ability to control information about themselves but that they will understand and respond to notices which have been carefully designed to educate them. We agree with GTEC that the recent education process prompted by the requirement to pass calling party number (CPN) has resulted in a large number of customers who have selected blocking, so that a similar education program is not required for the passing of the billing name of record. Nevertheless, we believe the public education campaign approach of the CNEP should be guidance for GTEC's customer notification to educate customers about the delivery of the billing name of

record if they make telephone calls without activating blocking. An attachment to this resolution provides our recommendation of the required information which should be included. GTEC should submit its notice for approval to the Public Advisor as well as the Telecommunications Division.

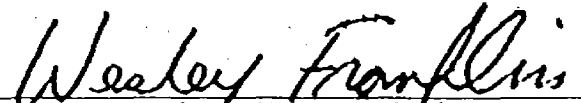
FINDINGS

1. GTEC applied to offer Caller ID - Name and Number Service and ACR service and to change the name of Caller ID service to Caller ID - Number Service in Advice Letter No. 8182 on July 16, 1996, which was supplemented by Advice Letter No. 8182 A on September 25, 1996.
2. GTEC applied to offer Caller ID - Name and Number Service to GTEC's Centranet customers and to change the name of Caller ID Service to Caller ID - Number Service in Advice Letter No. 8183 on July 16, 1996.
3. In D. 92-06-065 and D. 92-11-092 the Commission authorized GTEC to file an advice letter for approval of ACR service.
4. Advice Letter No. 8182 received two protests, primarily concerning GTEC's request to offer Caller ID - Name and Number service.
5. The recommendations by protestants that GTEC should file an application to add Calling Name Delivery to its current Caller ID service is rejected.
6. Protestants' recommendation that customers should be notified prior to the offering of Calling Name Delivery Service by GTEC is validated by the spirit of PU Code Section 2893.
7. D. 92-06-065 requires customer notification about ACR service.
8. GTEC is required to submit to the Public Advisor and the Telecommunications Division a draft customer notice for their approval which will be guided by public education principles developed in their recent CNEP conducted prior to the passing of CPN.
9. Attachment A provides the minimum information which should be provided in GTEC's customer notification about Calling Name Delivery service and ACR service.
10. This notification should be sent to all affected customers thirty days before the services are offered.

THEREFORE, IT IS ORDERED that:

1. GTE of California (GTEC) is authorized to offer Automatic Rejection Service (ACR) and Caller ID - Name and Number Service and to change the name of Caller ID service to Caller ID - Number Service upon satisfactory compliance with the following condition:
 - a. GTEC shall submit to the Public Advisor and the Telecommunications Division for their approval a draft public education notice to its customers about ACR service and Caller ID - Name and Number Service.
 - b. GTEC's notice on these two services shall include at a minimum the required information included in Attachment A.
2. GTEC shall provide all of its affected customers information about ACR and Caller ID - Name and Number Services thirty days before GTEC offers the service.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on October 9, 1996. The following Commissioners approved it:


Wesley M. Franklin
Executive Director

P. GREGORY CONLON
President
DANIEL Wm. FESSLER
JESSIE J. KNIGHT, Jr.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners

Attachment A

Required Information in Customer Notification about Automatic Call Rejection and Calling Name Delivery Service

Automatic Call Rejection Service

1. Why is this service being offered?
2. How does it work?
3. If a call is rejected, what options does the caller have?

might use per call enabling to number. (a) Reasons why the caller transmit the name and

might not want to transmit the name and number. (b) Reasons why a caller

4. When the caller won't be charged for this call.
5. Other ways people might reject calls and whether the caller might be charged for the call.
6. What happens if a call is made from a friend's phone or from work?

Calling Name Delivery Service

1. Why is this service being added to Caller ID service?
2. Can a caller choose to transmit only the name or only the number?
3. What happens if the phone service is not in the caller's name?
4. Are there differences between sending one's name versus one's number?
5. If a call is made not from one's home, but from a business, pay phone or from a friend's home, what happens?
7. Will names be provided on out of state calls? Will a subscriber get names from other states?