

P-405/EM-94-289 ORDER AUTHORIZING PROVISION OF CLASS SERVICES

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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Chair
Commissioner
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In the Matter of a Proposal by Vista Telephone
Company of Minnesota to Offer CLASS
Services

ISSUE DATE: September 16, 1994

DOCKET NO. P-405/EM-94-289

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CLASS SERVICES

PROCEDURAL HISTORY

On March 29, 1994 Vista Telephone Company of Minnesota filed a proposal to offer CLASS services to its customers in the Twin Cities metropolitan area. The Company filed a description of the services it planned to offer, a proposed customer education plan, and proposed tariff sheets. The filing was based on the Commission's June 17 and December 3, 1993 Orders authorizing CLASS services and setting conditions on their provision.¹

On May 26, 1994 the Company filed additional information on its contacts with law enforcement agencies on the effect of CLASS services on their operations.

On July 25, 1994 the Department of Public Service (the Department) filed a report and recommendation, focusing chiefly on recordkeeping, reporting, and customer education issues. The report also recommended requiring the Company to reduce local rates to offset the expected contribution from CLASS services. The Department later withdrew the final recommendation.

The filing came before the Commission on August 30, 1994.

¹ In the Matter of a Commission Initiated Investigation into the Provision of Custom Local Area Signaling Services in Minnesota, Docket No. P-999/CI-92-992, ORDER ESTABLISHING CONDITIONS FOR THE PROVISION OF CUSTOM LOCAL AREA SIGNALING SERVICES (June 17, 1993) and ORDER AFTER RECONSIDERATION (December 3, 1993).

FINDINGS AND CONCLUSIONS

I. The Company's Proposal

The Company proposes to offer eight CLASS services: Caller ID - Number; Continuous Redial; Last Call Return; Priority Call; Selective Call Acceptance; Selective Call Rejection (or, Call Rejection); Selective Call Forwarding; and Call Trace. The Company also intends to offer free Anonymous Call Rejection, as required under the December 3 Order.

The CLASS Orders require companies to provide Call Trace to all customers in CLASS-equipped exchanges, whether or not they have ordered CLASS services. The Company intends to comply. The Company also plans to offer Continuous Redial and Last Call Return to non-CLASS customers on a per-use basis. The Company would disable Continuous Redial and Last Call Return without charge at the customer's request.

The Company also proposes to disable Call Trace on request for any business customer. For residential customers, the Company would require the customer to confirm that he or she lives at the service address and would require evidence, confirmed by billing records, of previous unauthorized use of the service by minors or other vulnerable persons.

The Company proposes to provide all business and residential blocking options required under the CLASS Orders, with one exception. The Company does not plan to offer line blocking on two-party lines, because technical obstacles in some wire centers would prevent compliance with specific CLASS Order requirements for those lines. Some wire centers lack the technology to provide per-call unblocking to blocked two-party lines. Others cannot provide different activation codes for per-call blocking and unblocking on two-party lines. Rather than violate those requirements and risk customer confusion, the Company proposes to eliminate line blocking on two-party lines.²

All seven exchanges involved in this filing have Extended Area Service to one another and to the metropolitan calling area as a whole. The Company's connections with U S WEST make it possible for it to transfer CLASS information between these seven exchanges and all metro exchanges served by U S WEST, while observing all the privacy requirements of the CLASS Orders. The Company proposes to do so.

II. Commission Action

The Commission finds the Company's proposal in substantial compliance with the June 17 and December 3 Orders. The Commission will approve it and will set filing and reporting requirements to aid regulatory review.

III. CLASS Features Unique to Vista Approved

Several features in Vista's CLASS filing are unique to Vista: eliminating line blocking on two-party lines, disabling Call Trace for residential customers, offering Continuous Redial and Last Call Return on all CLASS-equipped lines, and transferring CLASS information between companies through EAS connections. All appear to be in the public interest and will be approved.

The Commission agrees with Vista that eliminating line blocking on two-party lines is the best solution to the technical and administrative problems presented by party line technology. Offering line blocking without per-call unblocking would upset the delicate balance between privacy and control the Commission struck by requiring the universal availability of per-call

² All affected customers would still have free per-call blocking available to them, as well as one-party service.

unblocking and Anonymous Call Rejection. The Commission therefore agrees that line blocking should not be offered where per-call unblocking is not available. The Commission also agrees that avoiding customer confusion justifies eliminating line blocking to two-party lines across the board.

The Company's proposal to disable Call Trace for residential customers is of greater concern, given the substantial public interest in combatting harassing telephone calls. However, the significant safeguards built into the process, together with the ability to reconnect the service, lead the Commission to conclude the public interest will be served.

The proposal to offer Continuous Redial and Last Call Return to non-CLASS customers on a per-use basis, with blocking available at the customer's request, makes additional service options available to customers at no cost and very little risk. The services will be approved.

The inter-company transfer of CLASS information proposed by VISTA, which includes honoring all blocking requirements, should increase the value of CLASS services and will be approved.

In this Order, as in all CLASS Orders, the Commission will set reporting requirements, require careful logging of complaints, and require full cooperation with the Department as it monitors the performance and development of CLASS services in Minnesota. This ongoing evaluation process, so important to ensuring that CLASS services fulfill their public interest potential, will also allow monitoring of the unique features of Vista's proposal approved above.

IV. Customer Education Materials and New Tariffs Required

A. Customer Education

As the Commission emphasized in the June 17 and December 3 Orders, public understanding of CLASS services is essential if they are to achieve their potential for giving customers more control over how the telephone affects their lives. Public education programs therefore play a major role when companies introduce CLASS services.

For the most part the educational materials filed by the Company are clear, accurate, and complete. The final customer education mailing should contain the items listed in the Department's report and should be approved by Commission staff before mailing. (The Company may of course choose Commission review over staff review; staff review is offered as a means to expedite implementation of the service.)

B. Tariff Provisions

The Department recommended requiring the Company to file revised tariff pages clarifying specific issues. The Company acquiesced in this recommendation, which will be adopted.

V. Reporting Requirements

In its June 17 and December 3 Orders the Commission established detailed annual reporting requirements for companies offering CLASS services. The Commission also required an annual report from the Department, which is to include the Department's assessment of public acceptance of CLASS services and its recommendations on how CLASS services should be structured in the future.

The Commission continues to believe regulatory monitoring and oversight are necessary to ensure that this new technology is deployed to serve the public interest. The Commission will therefore require the following additional reports from the Company.

First, the Company will be required to give at least 60 days' notice before making any changes to its CLASS service offering, offering CLASS services in any additional exchange, or offering any CLASS service in conjunction with any other telephone company or telecommunications carrier.

Second, to help the Commission evaluate the performance of CLASS services and make informed decisions on what shape they should take in the future, the Company will be required to maintain clear records on customer complaints. Copies of these complaints will be furnished to the Department upon request and summaries will be filed with the Company's annual CLASS report.

Finally, the Company will be required to work closely with the Department in providing any information the Department needs to fulfill its annual reporting responsibilities.

ORDER

1. The Company's proposal to offer CLASS services is approved, subject to the terms and conditions specified herein.
2. Within ten days of the date of this Order the Company shall file revised tariffs containing the clarifications recommended in the Department's report.
3. The Company shall serve copies of its proposed final customer education materials on the Department and the Residential Utilities Division of the Office of the Attorney General.
4. The Company shall not offer any CLASS service until its filed tariffs and customer education materials have been approved by the Commission or Commission staff. Its customer education materials shall include, but shall not necessarily be limited to, the items listed in the Department's report.
5. The Company shall notify the Commission and the Department at least 60 days in advance of any plan to make any change in its CLASS services, to offer CLASS services in any additional exchanges, or to provide any CLASS service or SS7 technology in conjunction with any other telephone company or telecommunications carrier.
6. The Company shall keep clear and accurate records of all complaints filed in regard to CLASS services. The Company shall provide copies of such complaints to the Department upon request and shall file summaries of such complaints with its annual CLASS report.
7. The Company shall work closely with the Department in providing any information the Department considers necessary to prepare its annual reports on CLASS services.
8. The Company shall file for review and approval by the Commission or its staff all future educational materials on CLASS services.
9. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

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