

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CC Docket No. 92-77; DA 96-1695]

Charges for Interstate Operator Services Calls From Payphones, Other Away-from-home Aggregator Locations, and Collect Calls From Prison Inmates

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; further comment sought.

SUMMARY: On June 4, 1996 the Commission sought comment on proposals with regard to high charges paid by consumers for interstate operator services from payphones and other aggregator locations and by persons billed for interstate collect calls initiated by inmates of prisons and other correctional institutions. *In the Matter of Billed Party Preference for InterLATA 0+ Calls*, Second Further Notice of Proposed Rulemaking, CC Docket No. 92-77, 11 FCC Rcd 7274 (*Second Further Notice*). The Commission therein authorized its Common Carrier Bureau to obtain additional information if necessary for a more complete record. Comments and reply comments in response to the *Second Further Notice* were received on July 17, 1996 and August 16, 1996, respectively. In a Public Notice released on October 10, 1996, the Bureau seeks additional comment on a number of specific questions relating to this matter. Additional comment is sought on specific questions in order to supplement the record.

DATES: Comments are due on or before November 13, 1996. Reply comments are due on or before December 3, 1996.

ADDRESSES: Office of the Secretary, Federal Communications Commission, Room 222, 1919 M Street, N.W., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Adrien Auger, Enforcement Division, Common Carrier Bureau, (202) 418-0960.

SUPPLEMENTARY INFORMATION:

Released: October 10, 1996.

Common Carrier Bureau Seeks Further Comment on Specific Questions in OSP Reform Rulemaking Proceeding

In the Matter of Billed Party Preference for InterLATA 0+ Calls, CC Docket 92-77.

Comment Date: November 13, 1996; Reply Comment Date: December 3, 1996. On June 4, 1996, the Commission adopted *In the Matter of Billed Party*

Preference for InterLATA 0+ Calls, Second Further Notice of Proposed Rulemaking, CC Docket No. 92-77, 11 FCC Rcd 7274 (*Second Further Notice*), 61 FR 30581 (June 17, 1996). In the *Second Further Notice*, the Commission sought comment on, among other things, a proposed requirement that all providers of operator services at payphone and other aggregator locations (OSPs), before connecting any interstate 0+ call, orally disclose to the party to be billed for such a call the specific rate, as well as applicable aggregator surcharges or premises-imposed-fees (PIFs), if any, allowed by the OSP's contract with the aggregator at the particular location, that the billed party will be charged for the call. The Commission also sought comment on what alternatives to a billed party preference (BPP) system would serve the public interest with respect to charges for interstate 0+ calls from prison inmates. Comments and Reply Comments in response to the *Second Further Notice* were received on July 17, 1996 and August 16, 1996, respectively. Having reviewed the submissions, the Common Carrier Bureau seeks further comment on specific issues relating to the subjects previously noticed in this proceeding. Specifically, interested parties are invited to file comments in response to the attached list of questions. Commenters should restate and underline each question above their responses. Commenters also must provide a brief summary of their comments, not to exceed three sentences per question or three double-spaced pages in total, as a preface to their comments. The comments and comment summary should follow the order of the questions. Comments should be filed on or before November 13, 1996 and Reply Comments on or before December 3, 1996. Interested parties must file an original and four copies of their comments with the Office of the Secretary, Federal Communications Commission, Room 222, 1919 M Street, N.W., Washington, D.C. 20554. Comments should reference CC Docket No. 92-77.

Parties should send one copy of their comments to the Commission's copy contractor, International Transcription Service, Room 140, 2100 M Street, N.W., Washington, D.C. 20037. Comments will be available for public inspection during regular business hours in the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C. 20554.

Parties are also asked to submit comments on diskette. Such diskette submissions would be in addition to, and not a substitute for, the formal filing requirements addressed above. Parties

submitting diskettes should submit them to Adrien Auger, Common Carrier Bureau, Enforcement Division, 2025 M Street, N.W., Suite 6008, Washington, D.C. 20554. Such a submission should be on a 3.5 inch diskette in an IBM compatible format using WordPerfect 5.1 for Windows software in a "read only" mode. The diskette should be clearly labelled with the party's name, proceeding, and date of submission. The diskette should be accompanied by a cover letter.

Federal Communications Commission.
William F. Caton,
Acting Secretary.

Attachment

1. Are there any industries in which price disclosure to consumers at the point of purchase is *not* the normal practice? If so, what are those industries and what are the particular circumstances surrounding the developments of those industries?

2. What kinds of technologies (including payphone equipment and associated software) are currently available to provide on-demand call rating information for calls from payphones, other aggregator locations, and phones in correctional institutions that are provided for use by inmates? Commenters should discuss the anticipated declining cost of these technologies, assuming a wide-spread demand for these services.

3. Are there any telecommunications markets outside of the U.S. that already make use of price disclosure prior to call completion, for example, in the U.K.? If so, please provide the technological and financial details behind the implementation of these services and any indication as to the cost and benefits from the perspective of consumers.

4. Some commenters have claimed that price disclosure prior to call completion would create an unacceptable delay to consumers. Are there any studies that substantiate or dispute this contention and are those studies available? Are there any studies available that provide indications of consumer satisfaction or dissatisfaction with 0+ services provided in this fashion?

5. If some or all of embedded base equipment and software are incapable of providing audible notice to consumers for on-demand call rating, what time period would be reasonable for substituting equipment and software that is capable of doing so?

6. What percentage of interstate 0+ calls do calls from correctional

institutions constitute, both in quantity and dollar volume, over the last 5 years?

7. What effects, if any, will the recent Report and Order in *In the Matter of Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, Policies and Rules Concerning Operator Service Access and Pay Telephone Compensation*, CC Docket Nos. 96-128, 91-35, FCC 96-388 (released September 20, 1996), 61 FR 52307 (October 7, 1996) have on this proceeding?

[FR Doc. 96-27072 Filed 10-22-96; 8:45 am]

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47 CFR Part 90

[WT Docket No. 96-86; FCC 96-403]

Non-Accredited Standard-Setting Organizations That Develop Standards For Public Safety Wireless Communications Equipment

AGENCY: Federal Communications Commission.

ACTION: Request for Comments.

SUMMARY: This action seeks additional comment on non-accredited standard setting organizations that develop standards for public safety wireless communications equipment. It is necessary for the Commission to receive comment on whether the Communications Act of 1934 generally provides the Commission with authority to impose requirements similar to those identified in Section 273(d)(4) of the Act, and, if so, whether the Commission should exercise this authority. The effect of the action will be to seek additional comment on whether to require open and fair processes, similar to those described in the Act, in the development and adoption of future standards for public safety wireless communications equipment and systems.

DATES: Comments are to be filed on or before October 21, 1996; reply comments are to be filed on or before December 3, 1996.

FOR FURTHER INFORMATION CONTACT: Bob McNamara or John Borkowski, Federal Communications Commission, Wireless Telecommunications Bureau, Washington, D.C. 20554, (202) 418-0680.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Public Notice, released October 9, 1996. The complete (but unofficial) text of this Commission Public Notice is available on the Internet at: http://www.fcc.gov/Bureaus/Wireless/Public_Notices/fcc96403.txt and for inspection and

copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C., 20554. The complete text of this Public Notice is available and may be purchased from the Commission's copy contractor, International Transcription Services, Inc. (ITS, Inc.), 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, Telephone number (202) 857-3800.

Summary of Public Notice

1. On April 5, 1996, the Commission adopted a *Notice of Proposed Rulemaking (NPRM)* in WT Docket No. 96-86, 61 F.R. 25185 (May 20, 1996) that seeks comment on the development of operational, technical, and spectrum requirements for meeting Federal, state, and local public safety agency communication requirements through the year 2010. Specifically, the *Notice* asks for comment on: (1) Methods to facilitate the development of interoperable equipment and technologies, including the development of standards to foster interoperability; (2) the service features and system requirements essential to the effective performance of public safety functions; (3) technological issues regarding the enhancement and improvement of public safety wireless communications; (4) regulatory approaches that address the problems of congested spectrum and fragmented public safety allocations; (5) measures that would foster the development of public safety wireless communications that are spectrally-efficient, of high quality, and effective; and (6) the means to promote competition in the supply of goods and services used by public safety agencies.

2. Prior to the adoption of this *NPRM*, the Commission and the National Telecommunications and Information Administration (NTIA) established the Public Safety Wireless Advisory Committee (Advisory Committee) to address many of these same issues. In the discussions of the Advisory Committee's Interoperability Subcommittee, a need was identified to develop a baseline technology to promote interoperability between and among public safety entities. The Subcommittee subsequently recommended a baseline technology for analog applications. It further recommended that a group comprised of experts from government, industry, and users be organized, following the termination of the Committee's work, to examine a baseline interoperability technology that could be used in digital systems. The organization, membership, and charter of the proposed group were

not further specified. The Advisory Committee subsequently recommended that follow-up efforts be continued to advise the Commission and NTIA on public safety wireless communications and adopted the Subcommittee's recommendation that future standards be developed in a fair and open process.

3. Section 273(d)(4) of the Communications Act of 1934, as amended (the Act) establishes procedural and other requirements that certain non-accredited entities must follow if they develop industry-wide telecommunications standards or generic network equipment requirements. We believe that the requirements of Section 273(d)(4) of the Act apply specifically to the development of standards for telecommunications equipment, customer premises equipment and software used in the provision of wireline telephone exchange service, and are not applicable to non-accredited standards-setting organizations that develop standards for public safety wireless communications equipment. We seek comment, however, on whether the general principles articulated in Section 273(d)(4) nonetheless may be useful in the development of standards initiated in the future for public safety equipment. Accordingly, we seek comment on whether the Act generally provides the Commission with authority to impose requirements similar to those identified in Section 273(d)(4), and, if so, whether the Commission should exercise this authority. Specifically, we seek additional comment on whether to require open and fair processes, similar to those described in the Act, in the development and adoption of future standards for public safety wireless communications equipment and systems.

4. Comments and replies should be filed in accordance with the procedures established in WT Docket No. 96-86. Interested parties must file an original and four copies of their comments with the Office of the Secretary, Federal Communications Commission, Room 222, 1919 M Street, N.W., Washington, D.C. 20554. Comments should reference WT Docket No. 96-86. Parties should send one copy of their comments to the Commission's copy contractor, International Transcription Service, Room 140, 2100 M Street, N.W., Washington, D.C. 20037. Comments will be available for public inspection during regular business hours in the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C. 20554.

List of Subjects in 47 CFR Part 90

Public safety, Radio.