

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of:

Amendment of Policies and Rules)
Concerning Operator Service)
Providers and Call Aggregators)

CC Docket No. 94-158

DOCKET FILE COPY ORIGINAL

AMERITECH'S REPLY COMMENTS
ON THE COMMISSION'S NOTICE OF RULEMAKING
AND NOTICE OF INQUIRY

The Ameritech Operating Companies¹ ("Ameritech" or the "Company") respectfully offer the following reply to the initial comments on the Notice of Proposed Rulemaking ("NPRM") and the Notice of Inquiry ("NOI") released in the above-captioned docket on February 8, 1995.

I.

INTRODUCTION

In this docket, the Commission solicits comments on four issues relating to its rules and policies governing operator service providers ("OSPs") and call aggregators. In its initial comments on the NPRM, Ameritech said that it would not be unreasonable for the Commission to require branding on both ends of a collect call as long as the financial

¹ The Ameritech Operating Companies are: Illinois Bell Telephone Company, Indiana Bell Telephone, Incorporated, Michigan Bell Telephone Company, The Ohio Bell Telephone Company and Wisconsin Bell, Inc.

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responsibility for such a call remains clear. The Company also said that all OSPs and aggregators should be subject to the same rules and regulations for routing and handling emergency calls. On the NOI, Ameritech said that inmate service continues to be a unique offering and current rules should remain in effect. In addition, the Company said that if the Commission determined there is a problem with certain aggregators updating their consumer information notices, it should consider establishing guidelines for posting updated notices. Nothing raised in the initial comments filed by others cause Ameritech to change those views. Two points, though, warrant an additional word or two in reply.

II.

CORRECTIONAL FACILITIES SHOULD BE EXEMPTED FROM BILLED PARTY PREFERENCE.

In the NOI portion of this docket, the Commission asked several questions about “whether the goals of Section 226 and the public interest have been met through our [the Commission’s] current treatment of inmate-only telephones in correctional institutions.”² Several parties offering initial comments suggest that billed party preference would help address the problem of high rates being charged by the presubscribed carrier for inmate-only telephones.³ Ameritech has serious reservations about this solution.

As Ameritech explained in comments on this issue filed last year:

Ameritech proposes that the Commission exempt inmate services from BPP due to increased fraud risks. The exemption should apply regardless of whether the operator services are provided by a LEC, OSP, IXC, independent payphone provider, or AEC.⁴

² NOI at par. 11.

³ See e.g. Comments of Southwestern Bell Telephone Company at 4.

⁴ Ameritech’s Comments on Further Notice of Proposed Rulemaking, In the Matter of Billed Party Preference For 1+ InterLATA Calls, CC Docket No. 92-77, filed August 1, 1994 at 11-13.

. . .

In a BPP environment, a prison call sent to a non-AT&T carrier with the same code could easily be processed as a calling card call. Once permitted, such a call could go anywhere -- including a "hot house" that forwards fraudulent calls -- with no restriction. The most effective way to control fraud on inmate-originated calls is with premises equipment on the prison site, coupled with the use of a single carrier.

Assuming that paid commissions for prison collect calls are eliminated under BPP, the features necessary to control inmate calls must either be incorporated into the network or implemented in premises equipment. Prison call control features already implemented in CPE-based equipment include:

- Real time reporting of all call activity in the prison. With this capability, officials are able to observe calling patterns by looking at call detail on a real time basis. This allows them to block calls immediately and to designate specific types of alarm calls which are recorded.
- Call blocking, which prevents harassing calls to judges, sheriffs, jurors and witnesses. Such systems are flexible and give immediate control.
- Threshold-setting for number of attempts or denials at a particular number.
- Exclusion of calls from being recorded, such as calls to attorneys.
- "Call Splitting" so that no talk path is established until the call is completed. This capability prevents callers from passing messages or duping operators into completing fraudulent calls.
- Detection of three-way calls. Calls to a line with three-way calling capability can circumvent call blocking or generate fraudulent calls.
- Control PINs, which restrict called numbers to those on a list.

These features are not reflected in the BPP service design, nor can BPP provide the immediacy that prison officials need for effective call monitoring, call blocking and

threshold establishment. In addition, certain functions such as PIN control cannot be easily implemented on the public switched network. The key element of an effective fraud control program is that every carrier must have fraud controls or recognize screening codes. To the extent that a carrier does not implement existing controls, it will naturally be subject to fraud.

Although Ameritech generally supports the implementation of billed party preference, the Company continues to believe that correctional facilities should be exempt.⁵

III.

AGGREGATORS SHOULD BE GIVEN A MINIMUM OF 30-60 DAYS TO UPDATE CONSUMER INFORMATION NOTICES.

The Commission asked in the NOI whether there is a problem caused by delays in updating consumer information posted on aggregator telephones and, if so, whether the Commission should establish specific time limits for posting such updates.⁶ Various time limits were offered by the parties;⁷ each was based on the implicit assumption that there is a problem to be fixed.

If the Commission determines there is a problem, then guidelines would be appropriate, particularly as they are directed towards those who have demonstrated an unwillingness to update their consumer notices in a timely manner. If the Commission addresses this issue on an industry-wide basis, then it should consider a guideline that

⁵ For a further elaboration on the problems with extending billed party preference to correctional facilities, see Comments and Reply Comments of Gateway Technologies, Inc. on Further Notice of Proposed Rulemaking, filed, respectively, August 1, and September 14, 1994, In The Matter of Billed Party Preference for 0+ InterLATA Calls, CC Docket No. 92-77.

⁶ NOI at par. 12.

⁷ E.g., NYNEX Comments at 1; Comments of Sprint Corporation at 5.

updates should be posted within 30 days of the aggregator receiving notification of a change, but no later than 60 days after such notification. A 30 day guideline would coincide with the on-premise service call cycle many companies use for maintaining most pay phones; a 60 day requirement would accommodate those occasions where a regular monthly site visit cannot be made. If a particular aggregator or group of aggregators routinely fail to abide by the 30 day guideline or the 60 day requirement, then the Commission can deal with those particular problems on a case-by-case basis.

IV.

CONCLUSION

For the reasons stated in this reply, the Commission should exempt inmate service from any bill party preference plan which is adopted and, if a problem exists with aggregators updating consumer notices in a timely manner, the Commission should consider a 30 day guideline and a 60 day requirement for such updates.

Respectfully submitted,

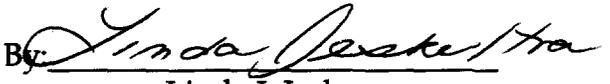
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March 24, 1995

CERTIFICATE OF SERVICE

I, Linda J. Jeske, do hereby certify that copies of the foregoing Ameritech's Reply Comments on the Commission's Notice of Rulemaking and Notice of Inquiry were sent via first class mail, postage prepaid, this 24th day of March, 1995 to the parties of record in this matter.

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