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

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JUL - 2 1998

In the Matter of )  
 )  
FTC COMMUNICATIONS, INC. )  
 )  
Request for Waiver or an Extension )  
of Time to Implement Inmate-Only )  
Oral Rate Disclosure Requirements )

Federal Communications Commission  
Office of Secretary

Re: *cc docket no. 92-77*

PETITION FOR WAIVER OR EXTENSION OF TIME

FTC Communications, Inc. ("FTC"), by its attorney and pursuant to Section 1.3 of the Commission's Rules, hereby seeks waiver of the July 1, 1998 deadline for implementation of the inmate-only verbal rate disclosure requirements. FTC seeks a four-month extension, until November 1, 1998, within which to comply with all aspects of the Commission's non-access code call requirements, as provided in *Billed Party Preference for InterLATA 0+ Calls, Second Report and Order and Order on Reconsideration* (the "Second Report and Order").<sup>1</sup> FTC respectfully submits that the efficient resolution of the technical difficulties surrounding inmate-only verbal rate disclosure will serve the long-term public interest by ensuring that the system implemented will meet the Commission's goals while simultaneously minimizing consumer confusion. Accordingly, the public interest will be served by grant of the requested waiver. In support thereof, FTC shows the following:

Upon issuance of the Second Report and Order, FTC contacted its operator services platform vendor and was assured that the

<sup>1</sup> 13 FCC Rcd 6122 (1998).

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vendor would be able to provide the upgrades necessary to meet the Commission's requirements in a timely fashion. Notwithstanding its many promises and excuses, the vendor failed to deliver the necessary upgrade. The vendor's complete failure to honor its commitments resulted in FTC's eleventh hour search for alternative and timely compliance methodologies. An interim solution was developed on an in-house basis with respect to public telephone access to rate quotes but, despite FTC's diligent efforts, all attempts to apply this solution (or others) to inmate-only collect calling have been unsuccessful.

Inmate-only calling is completely automated. Recipients (billed parties) of inmate collect calls accept or reject call completion by following automated instructions to provide a one-digit response following the announcement of the identity of the calling party. The current programming rejects attempts to introduce a third option (routing to a live operator for rate quotes) because the timing interrupts the call set-up, resulting in termination of the call.

Because of the vendor's failure to perform, FTC was forced to seek another vendor and has contracted to replace completely its operator services platform. FTC has been assured that the new platform will comply in all aspects with the requirements of the Second Report and Order. Unfortunately, FTC's new vendor estimates that the replacement platform will not be available for approximately 60-90 days. Including sufficient time for installation and testing, FTC anticipates that the new platform,

which will meet all notification requirements, will be operational within 120 days.

FTC diligently, but unsuccessfully, attempted to comply fully with the Commission's directives; despite its efforts and its optimism, FTC encountered technical difficulties which could not be resolved within the given time frame. FTC submits that grant of the request for a minimal delay in providing a long-term solution to the inmate-only rate quote issue will redound to the benefit of the public by ensuring the activation of a system which furthers the Commission's goals of fully educating the consumers of telecommunications services. Accordingly, FTC respectfully requests an extension of time until November 1, 1998 within which to meet all requirements of the Second Report and Order.

Respectfully submitted,  
FTC COMMUNICATIONS, INC.

By: 

Sylvia Lesse

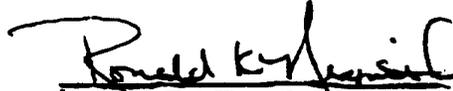
Its Attorney

Kraskin, Lesse & Cosson, LLP  
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July 2, 1998

**DECLARATION OF RONALD K. NESMITH**

I, Ronald K. Nesmith, Treasurer of FTC Communications, Inc., do hereby declare under penalties of perjury that I have read the foregoing "Request for Extension of Waiver" and the information contained therein is true and accurate to the best of my knowledge, information, and belief.

  
Ronald K. Nesmith, Treasurer

Date: July 2, 1998

**CERTIFICATE OF SERVICE**

I, Shelley Bryce, of Kraskin, Lesse & Cosson, LLP, 2120 L Street, NW, Suite 520, Washington, DC 20037, hereby certify that a copy of the foregoing "Petition for Waiver or Extension of Time", was served on this 2nd day of July 1998, by hand delivery to the following parties:

  
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