

FAIRVIEW BEACH GROCERY

June 23, 2000

Honorable William E. Kennard, Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

RE: CCD/CPD No. 00-1

Dear Chairman Kennard,

As Owners of the Fairview Beach Grocery, we serve a large number of senior citizens that have a need for public pay phones. We recently had our pay phone removed because "it didn't generate enough revenue and was too costly to keep".

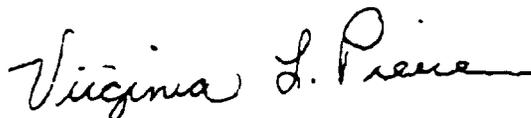
We are concerned that more & more telephone companies are removing public pay phones because they are not profitable, but more importantly due to the cost of operation of the phone. I assume a large part of the cost incurred by the pay phone providers is the cost of the telephone line.

I understand there is a proceeding (CCB/CPD No. 00-1) before the FCC to make sure pay phone line rates are reasonably priced so more pay phones will be available to the public. It is my desire that this initiative be passed so that the citizens we serve will have a pay phone when they need one.

Chairman Kennard, please take whatever action is necessary to make sure pay phones are available for everyone.

Sincerely,

Art & Virginia Pierce
Owners



C: Senator Charles S. Robb
Senator John W. Warner
Supervisor Jim Howard
American Public Communications Council

C:\pierce-62100

6072 Riverview Drive

King George, VA 22485

540-775-5985



5776 St. Augustine Road
 Jacksonville, FL 32207-8046
 (904) 448-4700
 Fax (904) 448-4717

50 Years Providing Solutions...
 When Children & Families Need Them Most

November 20, 2000

Honorable William E. Kennard, Chairman
 Federal Communications Commission
 445 Twelfth Street, SW, Suite 8-B201
 Washington, DC 20554

Re: CCB/CPD No. 00-1, CCB/CPD No. 99-27, CCB/CPD No. 99-35

Dear Chairman Kennard:

As the Executive Director of Child Guidance Center, we serve a large number of citizens that have a need for public payphones. When a member of our community is in trouble and reaches out for help, there must be an avenue by which to reach those in the community that can help. Those seeking assistance may only try once. *They must be able to contact that lifeline.* If there is no phone in the home, or no comfort level for calling from home, payphones may be their only means of communication.

I have concerns that more and more telephone companies are removing public payphones. I have been advised that these payphones are not profitable due to a dwindling number of local calls and the cost of operating the payphones. It is my understanding that the largest component of the cost incurred by the payphone providers is the cost of the telephone line.

I understand there are three proceedings before the FCC to make sure payphones line rates are reasonably priced so more payphones will be available to the public. It is my desire that those initiatives be passed so that the citizens we serve will have a payphone when they need one.

Chairman Kennard, please take whatever action is necessary to make sure payphones are available for everyone. With over 90% of our clients at the poverty level, pay phones are essential. Thank you for your consideration.

Respectfully,

Veronica W. Valentine, Ed.D.
 Executive Director

/kdi



www.childguidancecenter.org



Child Abuse Prevention Coalition

**Of Montgomery County/Radford
(CAPCo)**

125 Arrowhead Trail, Christiansburg, VA 24073

phone: 540-381-8310 fax: 540-381-8313

The Child Abuse Prevention Coalition is a Partner Agency of United Way

September 14, 2000

Honorable William E. Kennard, Chairman
Federal Communications Commission
445 Twelfth Street, SW Suite 8-B201
Washington, DC 20554

RE: CCB/CPD No. 00-1, CCB/CPD No. 99-27, CCB/CPD No. 99-35

Dear Chairman Kennard:

As Director of the Child Abuse Prevention Coalition of Montgomery County & Radford we serve a large number of citizens that have a need for public payphones. Many low-income people do not have a phone in their homes and must rely on payphones. People, whether adults or children, who must leave their homes under emergency circumstances, such as threat of bodily harm, must have access to phones to summon help. Public pay phones have always been conveniently accessible in emergency situations.

I have a concern that more and more telephone companies are removing public payphones because they are not profitable due to a dwindling number of local calls and the cost of operating the pay phone. Please remember that not everyone has a cell phone, or even a home phone.

I understand that there are three proceedings before the FCC to make sure payphone line rates are reasonable priced so more payphones will be available to the public. It is my desire that these initiatives be passed so that all citizens will have a payphone when they need one.

Chairman Kennard, please take whatever action is necessary to keep payphones available to everyone.

Sincerely,



Nancy Moore, Executive Director

Cc: Congressman Rich Boucher, 9th District, Senator John Warner, Senator Charles Robb, American Public Communications council, Inc./fax: 202-659-8287 attn: Tara West

AGAINST ABUSE, INC.

P.O. Box 10733
Casa Grande, Arizona 85230-0733
(520) 836-1239
Fax (520) 836-7757

November 9, 2000

Honorable William E. Kennard, Chairman
Federal Communications Commission
445 Twelfth Street, SW, Suite 8-B201
Washington, DC 20554

RE: CCB/CPD No. 00-1, CCB/CPD No. 99-27, CCB/CPD No. 99-35

Dear Chairman Kennard:

As Director of Against Abuse, Inc., we serve a large number of citizens that have a need for public payphones. When a member of our community is in trouble and reaches out for help, there must be an avenue by which to reach those in the community that CAN help. Those seeking assistance may only try once - they must be able to contact that lifeline. If there is no phone in the home, or no comfort level for calling from home, payphones may be their only means of communication.

I have a concern that more and more telephone companies are removing public payphones. I have been advised that these payphones are not profitable due to a dwindling number of local calls and the cost of operating the payphone. It is my understanding that the largest component of the cost incurred by the payphone providers is the cost of the telephone line.

I understand there are three proceedings before the FCC to make sure payphone line rates are reasonably priced so more payphones will be available to the public. It is my desire that these initiatives be passed so that the citizens we serve will have a payphone when they need one.

Chairman Kennard, please take whatever action is necessary to make sure payphones are available for everyone.

Sincerely,


Pat Griffen
Executive Director

cc: Senator Jon Kyl
Senator John McCain
Representative J. D. Hayworth
American Public Communications Council, Inc. fax (703) 385-5301

Administration
Outpatient Counseling

La Casa de Paz
La Casita de Paz - Casa Grande
La Casita de Paz - Apache Junction

Big Brothers Big Sisters
Teen Pregnancy Prevention Program
Tobacco Cessation Program

RURAL HOUSING, INC.

June 20, 2000

Honorable William E. Kennard, Chairman
Federal Communications Commission
445 Twelfth Street S.W.
Washington, D. C. 20554

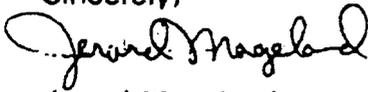
Dear Mr. Kennard:

It has been brought to my attention that many of the public pay phones are being removed. We are a small non-profit agency that assists low-income families in the rural areas (cities under the population of 10,000) in Wisconsin.

Many of our clients are unable to afford phones and rely on use of public phones to make all their calls (be it an emergency, business, or pleasure). Some of these families must walk to make their phone calls. This could be a problem for the elderly and handicapped persons in rural areas and in larger communities.

I feel that there is a real need for payphones and would be a real burden to everyone, anywhere, if they are removed or made less accessible to the public.

Sincerely,

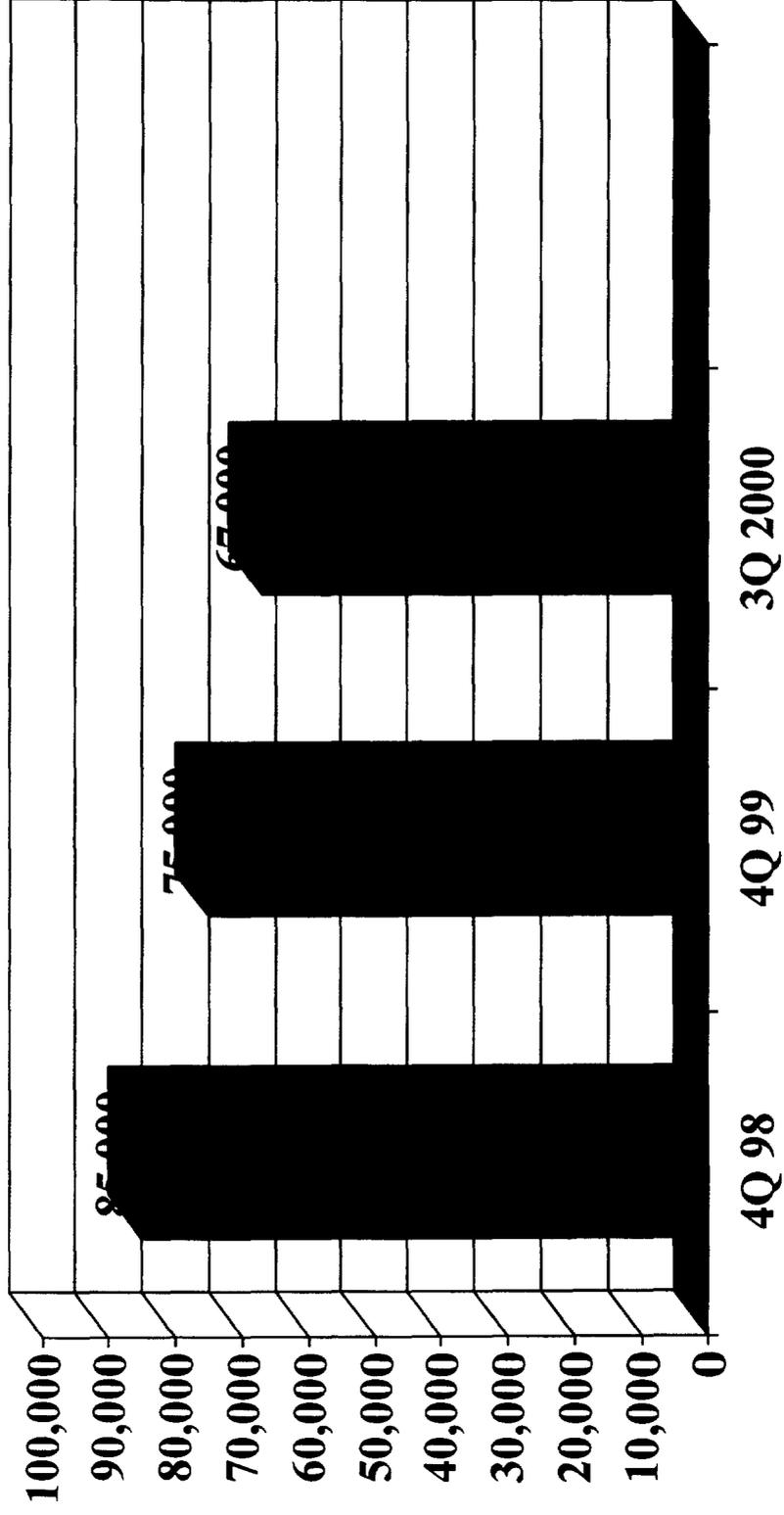


Jerard Mageland
Housing Specialist
Rural Housing, Inc

CC: Wisconsin Pay Telephone Association
CC: Terry M. Musser, State Representative, 92nd Assembly Dist.

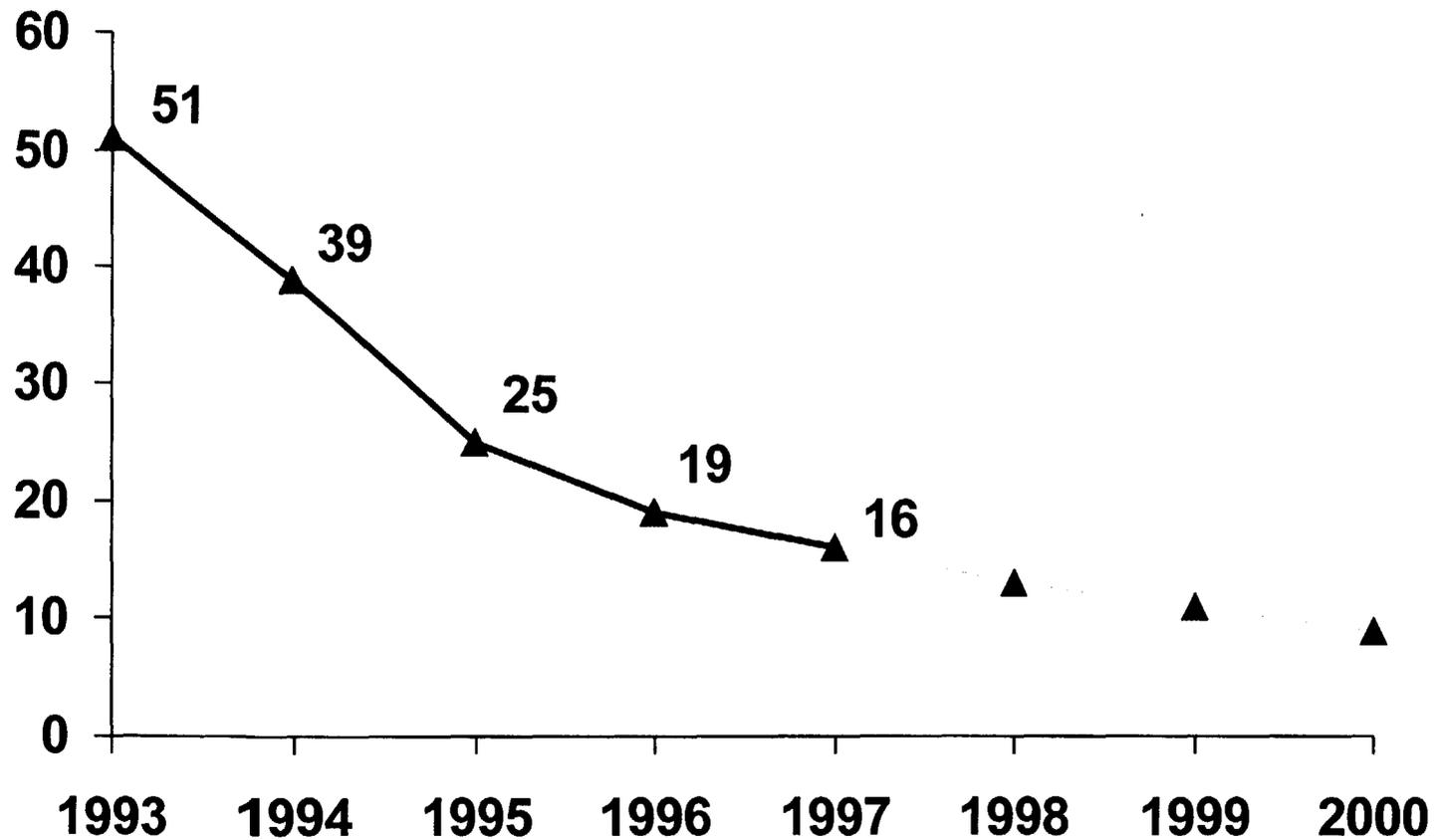
4506 Regent Street Madison, WI 53705 (608) 238-3448

Davel's Payphone Base



Dramatic Decline in "0+" Calling From Payphones

(Calls Per Payphone Per Month)



Source: Frost & Sullivan

Composition of Independent Payphone Traffic

1996



1999 - 2000



Source: Independent Payphone Surveys

EXCERPTS FROM CONGRESSIONAL LETTERS REQUESTING
ACTION IN PAYPHONE DOCKETS

For millions of Americans, public payphones are the only access to the telecom network.

Senator Conrad Burns,
Chairman of the Senate Communication
Subcommittee

...[P]ay telephones are essential for many Americans. They are a great convenience when we are traveling, when we are away from the office, and in many cases, when we have an emergency.

U.S. Representative James Barcia

The implementation of Section 276 is of interest to me as it is critical that all citizens, especially low-income citizens who predominantly utilize public payphones, continue to have access to basic telephone services.

U.S. Representative Richard Burr

It clearly is in the public interest to retain adequate availability and access to pay phones both for safety and socioeconomic fairness reasons.

Senator Carl Levin

Congress recognized the reality that payphones are an essential lifeline service for many low-income people, particularly those who are transient or have been disconnected from the local telephone networks. Assuring the payment of dial-around compensation and implementing the payphone line rate requirements as prescribed by Section 276 are critical to ensuring the continued availability of this lifeline service to the residents of California.

Senator Dianne Feinstein

In enacting Section 276, Congress recognized that payphones are an essential lifeline service for many low-income people, particularly those who are transient or have been disconnected from the local telephone network. Implementing the payphone line rate requirements as specified in Section 276 is critical to insuring the continued availability of this lifeline service.

Senator Mitch McConnell,
Senator Jim Bunning,
Congressman Ron Lewis,
Congressman Ed Whitfield, and
Congressman Ken Lucas

JERRY KLECZKA
4TH DISTRICT, WISCONSIN

WAYS AND MEANS COMMITTEE
HEALTH SUBCOMMITTEE
ENVIRONMENT SUBCOMMITTEE

2011 BAYVIEW BUILDING
WASHINGTON, DC 20545-4004
PHONE 202-455-4673
FAX 202-455-6735
E-MAIL: jerry.klecza@house.gov



Congress of the United States
House of Representatives

January 29, 1999

1421 WEST FOREST HOME ANDHAW
MILWAUKEE, WI 53218-3503
PHONE 414-774-1100
FAX 414-222-8111

174 WEST HONOLULU BOULEVARD
SUITE 100
WALPOLE, WI 53186-2441
PHONE 262-437-7700
FAX 262-437-4723

Larry Strickling
Chief, Common Carrier Bureau
Federal Communications Commission
1919 M Street NW
Washington, D.C. 20554

Dear Mr. Strickling:

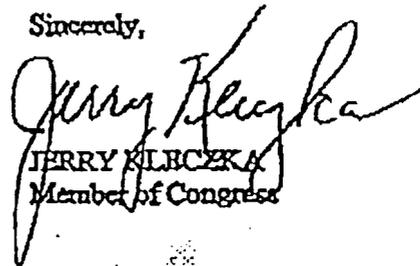
I am writing to urge the Common Carrier Bureau, Federal Communications Commission (FCC) to issue in as timely a manner as possible an order requiring the four largest local exchange carriers (LEC) in Wisconsin to file their pay phone services, tariffs and cost support data with your agency so that a new services test analysis can be conducted on LEC rates in Wisconsin.

The record of this proceeding suggests an unfortunate indifference to the interests to the parties involved.

After more than a year has passed since its November 6, 1997 letter order, it is clear that the Wisconsin Public Service Commission (PSC) will not be taking any further action on this matter. From my discussions with my constituents, some who are members of the Wisconsin Pay Telephone Association, I understand that representatives of the association have met with FCC officials twice in Washington, have made numerous telephone calls and sent correspondence requesting the FCC to act consistent with both Section 276 and the FCC's own regulatory requirements in its Payphone Reclassification Proceeding.

I urge the FCC to recoup the lost time in this proceeding by acting with dispatch.

Sincerely,


JERRY KLECZKA
Member of Congress

GDK/vd/pf

RICHARD BURR
5TH DISTRICT, NORTH CAROLINA

COMMITTEE ON COMMERCE
SUBCOMMITTEE:
HEALTH AND THE ENVIRONMENT
ENERGY AND POWER
OVERSIGHT AND INVESTIGATIONS

COMMITTEE ON
INTERNATIONAL RELATIONS
SUBCOMMITTEE:
INTERNATIONAL ECONOMIC
POLICY AND TRADE
ASIA AND THE PACIFIC



Congress of the United States
House of Representatives
Washington, DC 20515-3305
September 7, 1999

WASHINGTON OFFICE:
1513 LONGWORTH MOB
WASHINGTON, DC 20515
(202) 225-2071
FAX (202) 225-2055

DC INFO LINE:
(202) 225-0320
E-MAIL: Richard.Burr@nc05.house.gov
WWW: http://www.house.gov/b.

DISTRICT OFFICE:
2000 WEST FIRST STREET
SUITE 508
Piedmont Plaza Two
WINSTON-SALEM, NC 27104
(336) 631-5125
FAX (336) 725-6483

The Honorable William E. Kennard
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20004

Dear Chairman Kennard:

I am writing to inquire about the Commission's progress in implementing Section 276 of the Communications Act.

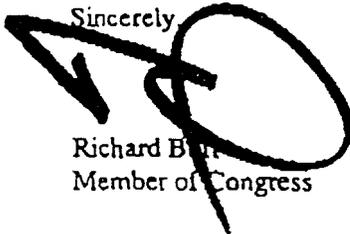
Section 276 of the Communications Act was added by Congress in the Telecommunications Act of 1996 to promote competition among payphone service providers and to promote the deployment of payphone services for the benefit of the general public. It is my understanding that the Commission, consistent with Section 276, has required all incumbent local exchange companies to file payphone access tariffs at the state level and that these tariffs, among other things, must be cost-based and non-discriminatory.

It has come to my attention that several states may have applied the requirements of Section 276 inconsistently, and that those issues are now pending before the Commission.

I would appreciate it if you would advise me at your earliest convenience of the status of the Commission's efforts to implement the requirements of Section 276 and when final action by the Commission on the pending proceedings may reasonably be expected. The importance of a timely resolution of this issue is self-evident.

I appreciate your attention to this important issue. If any questions should arise in connection with this request, please do not hesitate to contact Peter Hans of my staff. Thank you.

Sincerely,



Richard Burr
Member of Congress

cc: The Honorable Susan Ness
The Honorable Harold Furchgott-Roth
The Honorable Gloria Tristani
The Honorable Michael Powell

JERRY KLECZKA
4TH DISTRICT, WISCONSIN

WAYS AND MEANS COMMITTEE
HEALTH SUBCOMMITTEE
BUDGET COMMITTEE

2301 RAYBURN BUILDING
WASHINGTON, DC 20515-4804
(202) 225-4872
FAX: (202) 226-8135
e-mail: jerrykwt@mail.house.gov
website: <http://www.house.gov/klecza>



Congress of the United States
House of Representatives

September 27, 1999

6032 WEST FOREST HOME AVENUE
MILWAUKEE, WI 53218-4589
(414) 267-1140
FAX: (414) 327-8151

414 WEST MORELAND BOULEVARD
SUITE 105
WAUKESHA, WI 53188-2441
(414) 549-6360
FAX: (414) 549-6723

The Honorable William Kennard
Chairman
Federal Communications Commission
1919 M St NW
Washington, D.C. 20036-3521

Dear Chairman Kennard:

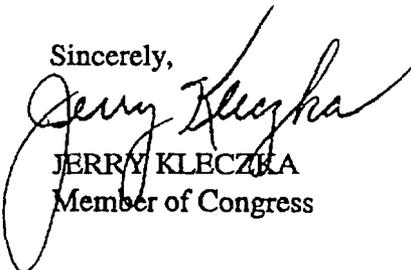
I am writing to follow up on my letter to the Chief of the Federal Communications Commission (FCC) Common Carrier Bureau dated January 29, 1999, regarding your pending order to require the four largest local exchange carriers in Wisconsin to file their pay phone services, tariffs, and cost support data with the FCC.

As you know, in November 1997, the Wisconsin Public Service Commission (PSC) found that it lacked jurisdiction under state law to ensure that the rates applicable to payphone lines comply with the requirements of the Telecommunications Act of 1996 and the Commission's implementing rules. On October 28, 1998, the Common Carrier Bureau, acting on a request by the Wisconsin Pay Telephone Association, advised the Wisconsin PSC that the Bureau intended to order the four largest local exchange carrier's in Wisconsin to file with the Commission tariffs for payphone services with the required supporting cost data.

In response to my January 1999 letter, I was advised that "the Bureau is proceeding on the matter." Another 5 months have passed and the Bureau has still not issued what appears to be a simple procedural order.

Again, I urge the Commission to act expeditiously on this matter and request a date by which you expect the Common Carrier Bureau to issue an order. Thank you for your immediate attention to my request.

Sincerely,



JERRY KLECZKA
Member of Congress

GDK/jwm

Congress of the United States
Washington, DC 20515

October 15, 1999

William E. Kennard
Chairman
Federal Communications Commission
The Portals
145 12th Street, SW
Washington, DC 20554

Dear Chairman Kennard:

We are writing to urge the Federal Communications Commission ("FCC") to take long overdue action on payphone issues that affect our constituents in Wisconsin. Prompt resolution of this matter may mean the rollout of more pay telephones by competing payphone companies.

In November 1997, the Wisconsin Public Service Commission ("PSC") found that it lacked jurisdiction under state law to ensure that the rates applicable to payphone lines comply with the requirements of the Telecommunications Act of 1996 ("Telecom Act") and the FCC's implementing rules. The Wisconsin Pay Telephone Association promptly requested that the FCC review the matter. Several months later, by letter dated October 28, 1998, the FCC's then Chief of the Common Carrier Bureau advised the Wisconsin PSC that the Bureau intended to order the four largest local exchange carriers ("LEC's") in Wisconsin to file with the FCC tariffs for payphone services with the required supporting cost data. The Wisconsin PSC has not objected to his procedure.

In January 1999, Congressman Kleczka wrote Lawrence Strickling, Chief of the Common Carrier Bureau, complaining of the Bureau's delay in issuing the promised order. A copy of Congressman's Kleczka's letter is enclosed, as is Mr. Strickling's March 31, 1999 response indicating that "the Bureau is proceeding on the matter."

Another four months have passed since Mr. Strickling's letter — in total more than 18 months have elapsed since the Commission was asked to take action — and yet the Bureau still has not issued what appears to be a simple procedural order. This is so despite repeated urgings to Commission staff by representatives of the Wisconsin Pay Telephone Association, members of the Wisconsin delegation, and others.

For these reasons, we ask that you intervene in this matter and direct Commission staff to take prompt action to (1) issue an order directing the four largest LECs in Wisconsin to file the requisite tariffs and cost support, and (2) conclude expeditiously any ensuing proceedings regarding the lawfulness of the rates filed by the LECs.

As you know, the Senate Judiciary Committee unanimously passed legislation that would establish time limits with regards to when the Commission reviews license transfers, and similar legislation has been introduced in the House. We hope that the Commission will make a ruling promptly, so that the businesses and consumers will be able to move forward, whatever your decision.

Thank you for your immediate attention to this matter.

Very respectfully yours,



Herb Kohl, United States Senator



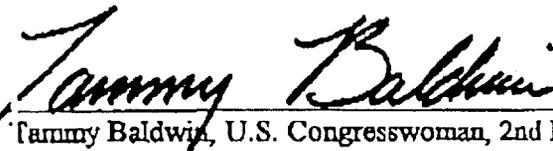
Russ Feingold, U.S. Senator



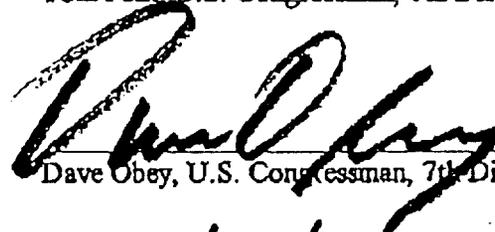
Paul Ryan, U.S. Congressman, 1st District



Tom Petri, U.S. Congressman, 6th District



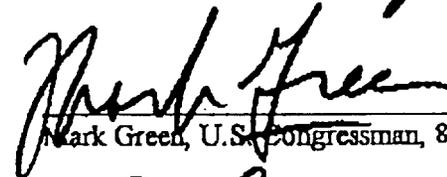
Tammy Baldwin, U.S. Congresswoman, 2nd District



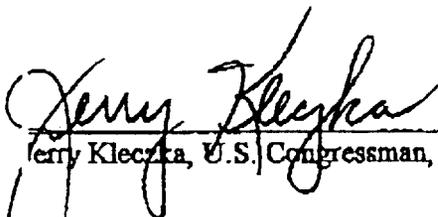
Dave Obey, U.S. Congressman, 7th District



Ron Kind, U.S. Congressman, 3rd District



Mark Green, U.S. Congressman, 8th District



Jerry Kleczka, U.S. Congressman, 4th District



Jim Sensenbrenner, U.S. Congressman, 9th District



Tom Barrett, U.S. Congressman, 5th District

- cc. Commissioner Susan Ness
- Commissioner Harold W. Furchtgott-Roth
- Commissioner Michael K. Powell
- Commissioner Gloria Tristani

KAREN L. THURMAN
5TH DISTRICT, FLORIDA
WASHINGTON OFFICE
440 CANNON BUILDING
WASHINGTON, DC 20515
202/225-1002



COMMITTEE ON WAYS AND MEANS
SUBCOMMITTEE ON HEALTH

May 19, 2000

Congress of the United States
House of Representatives
Washington, DC 20515

Mr. William Kennard
Commissioner
Federal Communications Commission
445 12th St, SW
Washington, D.C. 20544

Re: In the Matter of Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996.

Dear Mr. Kennard:

I write to urge the Federal Communications Commission (FCC) to initiate a rulemaking to clarify the carrier responsible for payment of dial around compensation when more than one such carrier is involved in handling a call. The RBOC/GTE/SNET Payphone Coalition originally requested that the FCC clarify the per-call compensation requirement for dial around calls in 1998. At this time, no clarification has been made by the FCC.

Section 276(b)(1) of the Telecommunications Act, as amended, provides that "payphone service providers [be] fairly compensated for each and every...call..." Payphone providers have experienced difficulties and long delays in trying to collect the compensation despite this provision. Independent payphone providers bill over 1,100 different companies to collect the dial around compensation. Despite such efforts, independent payphone providers in Florida and across the country do not receive thirty to forty percent of the compensation due to them.

Congress' goals in Section 276 were to "promote competition among service providers" and "the widespread deployment" of payphone services. However, due to problems with identifying the appropriate long-distance carrier to bill and the associated problems with collecting dial around compensation, many independent payphone operators are under serious economic duress. In Florida, approximately 200 independent payphone operators were forced out of business and 7000 payphones were pulled within the last year. Florida tourists and residents, who are less likely to have telephone service in their homes, are deprived of a much-needed service. This is squarely in conflict with the stated Congressional goals of Section 276.

JME OFFICES:

□ 2224 HIGHWAY 44 WEST
INVERNESS, FL 34453
352/944-3044

□ 5700 S.W. 34TH ST., SUITE 425
GAINESVILLE, FL 32608
352/336-6614

□ 6609 U.S. 19 SOUTH, SUITE H
NEW PORT RICHEY, FL 34652
727/849-4496

TOLL FREE
1-800-833-4352

Page Two

The FCC has not indicated when this proceeding will commence. I am not asking the FCC to adopt any particular position at this time, but rather to simply begin a rulemaking to determine who is required to pay the dial around compensation when more than one carrier is involved.

Thank you again for considering my request. If you have any questions or require additional information, please contact Amanda Newman of my staff at (202) 225-1002.

Sincerely,

A handwritten signature in black ink that reads "Karen". The letters are cursive and fluid.

Karen L. Thurman
Member of Congress

KLTan

cc: Sheryl Wilkerson, Director of Legislative and Intergovernmental Affairs, FCC

CHARLES T. CANADY
12TH DISTRICT, FLORIDA

COMMITTEE ON THE JUDICIARY
CHAIRMAN, SUBCOMMITTEE ON
THE CONSTITUTION

COMMITTEE ON AGRICULTURE

2432 RAYBURN BUILDING
WASHINGTON, DC 20515-0912
(202) 226-1262

FEDERAL BUILDING
124 SOUTH TENDERLOIN AVENUE
SUITE 125
LAKELAND, FL 33801
(888) 688-2651

Congress of the United States
House of Representatives

Washington, DC 20515-0912

May 22, 2000

The Honorable William Kennard
Chairman
Federal Communications Commission
1919 M St NW
Washington, DC 20554

Dear Chairman Kennard:

I am writing to urge the Federal Communications Commission to clarify which carrier is responsible for payment of dial-around compensation to pay telephone owners when more than one such carrier is involved with handling a call. It is my understanding that the RBOC/GTE/SNET Payphone Coalition originally requested that the FCC clarify the per-call compensation requirement for dial-around calls in 1998.

I have spoken with several payphone providers in my district, and all have experienced problems with identifying the appropriate long-distance carrier to bill when collecting dial-around compensation. In 1999, approximately 200 independent payphone operators in Florida went out of business, and 7,000 payphones in Florida were removed. In many cases, these phones and providers would still be in operation if they were able to collect revenues owed from dial-around calls.

I would like to urge the FCC to consider this matter and take appropriate action to ensure that payphone operators are properly compensated for calls made on their phones. Thank you for your attention to this matter.

Sincerely yours,



Charles T. Canady
Member of Congress

CTC:jp

COMMITTEES:
INTERNATIONAL RELATIONS
GOVERNMENT REFORM

CHAIR:
SUBCOMMITTEE ON
INTERNATIONAL ECONOMIC
POLICY AND TRADE

VICE CHAIR:
SUBCOMMITTEE ON
WESTERN HEMISPHERE



Congress of the United States
House of Representatives

ILEANA ROS-LEHTINEN
18TH DISTRICT, FLORIDA

PLEASE RESPOND TO:
 2160 HAYBURN BUILDING
WASHINGTON, DC 20515-0918
(202) 225-3931
FAX (202) 225-6620

DISTRICT OFFICE:
9210 SUNSET DRIVE
SUITE 100
MIAMI, FL 33173
(305) 275-1800
FAX (305) 275-1801

June 1, 2000

Mr. William E. Kennard
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20544

Dear Chairman Kennard:

I have been contacted by representatives and members of the Florida Public Telecom Association and the American Public Communications Council regarding the implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996. They would like a rulemaking to be initiated to clarify the carrier responsible for payment of dial around compensation when more than one such carrier is involved in handling a call.

Your attention to this matter would be appreciated by independent payphone service providers, consistent with all applicable rules and regulations.

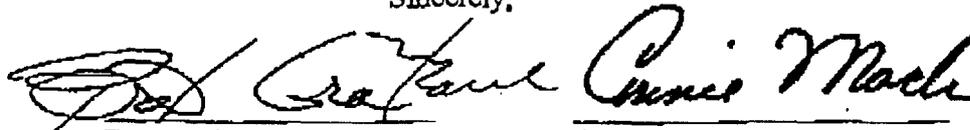
Sincerely,

Ileana Ros-Lehtinen
Member of Congress

IRL:en

Please inform us as to the Commission's plans regarding a resolution of this issue which is of vital interest to Florida's, as well as other state's, independent payphone service providers. Thank you.

Sincerely,

Handwritten signatures of Bob Graham and Connie Mack. The signature of Bob Graham is on the left, and the signature of Connie Mack is on the right. Both signatures are written in black ink and are positioned above their respective printed names.

Bob Graham
United States Senator

Connie Mack
United States Senator

RICHARD BURR
5TH DISTRICT, NORTH CAROLINA

COMMITTEE ON COMMERCE

SUBCOMMITTEES:
HEALTH AND THE ENVIRONMENT
ENERGY AND POWER
OVERSIGHT AND INVESTIGATIONS

COMMITTEE ON
INTERNATIONAL RELATIONS

SUBCOMMITTEES:
INTERNATIONAL ECONOMIC
POLICY AND TRADE
ASIA AND THE PACIFIC



Congress of the United States
House of Representatives
Washington, DC 20515-3305

June 5, 2000

WASHINGTON OFFICE:
1513 LONGWORTH HOB
WASHINGTON, DC 20515
(202) 225-2071
FAX (202) 225-2995

DC INFO LINE:
(202) 226-0320

E-MAIL: Richard.BurrNC05@mail.house.gov
WWW-http://www.house.gov/burr

DISTRICT OFFICE:
2000 WEST FIRST STREET
SUITE 608
PIEDMONT PLAZA TWO
WINSTON-SALEM, NC 27104
(336) 631-5125
FAX (336) 725-4493

The Honorable William E. Kennard
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Kennard:

I am writing once again to inquire about the Commission's progress in implementing Section 276 of the Communications Act, as amended by the Telecommunications Act of 1996.

By letter dated September 7, 1999, I inquired as to the status of the Commission's efforts to implement the requirements of Section 276. In my letter, I noted that Section 276 of the Communications Act was added by Congress in the Telecommunications Act of 1996 to promote competition among payphone service providers and to promote the deployment of payphone services for the benefit of the general public. Specifically, I asked when final action by the Commission on the pending proceedings might reasonably be expected.

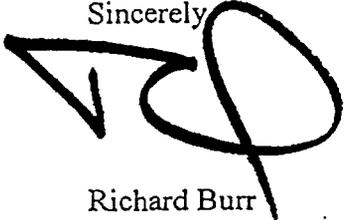
By letter dated September 22, 1999, I received a response from Jane E. Jackson, Chief, Competitive Pricing Division, Common Carrier Bureau. In her response, Ms. Jackson stated that final dispositions of the pending matters "are at least six months to a year from today."

It has now been approximately nine months from the date of Ms. Jackson's letter. In view of the time that has passed since my initial inquiry, and the time frame for final disposition of the pending Section 276 issues stated by Ms. Jackson, I would appreciate it if you would once again advise me at your earliest convenience of the status of the Commission's efforts to implement the requirements of Section 276 and when final action by the Commission on the pending proceedings may reasonably be expected.

In addition, I would like to express my concern regarding the lack of speed with which the Commission appears to be addressing Section 276 issues. While I do understand the Commission has issued a procedural order in the Wisconsin proceeding, I also understand that the initial deadlines established in that proceeding have been delayed on the Bureau's own motion. The implementation of Section 276 is of interest to me as it is critical that all citizens, especially low income citizens who predominantly utilize public payphones, continue to have access to basic telephone services.

If any questions should arise in connection with this request please do not hesitate to contact Peter Hans of my staff. Thank you.

Sincerely

A handwritten signature in black ink, appearing to be 'RB', written over the word 'Sincerely'.

Richard Burr
Member of Congress

cc: The Honorable Susan Ness
The Honorable Harold Furchgott-Roth
The Honorable Gloria Tristani
The Honorable Michael Powell

United States Senate

WASHINGTON, DC 20510

June 29, 2000

Chairman William Kennard
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20544

Dear Chairman Kennard:

We are writing to inquire as to the Federal Communications Commission's plans regarding clarification of which carrier is responsible for payment of dial around compensation when more than one such carrier is involved in handling a call. A request that the Commission initiate a rulemaking proceeding was filed by RBOC/GTE/SNET Payphone Coalition in 1998, and that request is supported by independent payphone service providers in Florida and nationwide.

Section 276(b)(1) of the Telecommunications Act, as amended, provides that "payphone service providers [be] fairly compensated for each and every...call...." Payphone providers, however, have experienced extreme difficulty and long delays trying to collect this compensation. Independent payphone providers in Florida and across the country still do not receive approximately thirty to forty percent of the compensation due to them.

Congress' goals in Section 276 were to "promote competition among service providers" and "the widespread deployment" of payphone services. However, in large part due to problems with identifying the appropriate long-distance carrier to bill and the associated problems with collecting dial around compensation, many independent payphone providers are under serious economic duress.

The payphone industry is particularly important in Florida. Tourists who visit our state often are dependent on the availability of payphones. Moreover, a disproportionately high percentage of Florida residents do not have a phone in their homes. For these residents, payphones are their lifeline.

Congress of the United States

Washington, DC 20515

June 29, 2000

William Kennard
Chairman
Federal Communications Commission
445 12th Street, S.W.
Suite 8-B291
Washington, D.C. 20544

Re: *In the Matter of Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*

Dear William:

We are writing to respectfully request that the Federal Communications Commission consider initiation of a rule to clarify carrier responsible for payment of dial around compensation when more than one such carrier is involved in handling a call. We understand that a request that the Commission initiate such a proceeding was originally filed by RBOC/GTE/SNET Payphone Coalition in 1998, and that request is supported by independent payphone service providers in Florida and nationwide.

Section 276(b) (1) of the Telecommunications Act, as amended, provides that "payphone service providers [be] fairly compensated for each and every...call..." Despite this provision, payphone providers have experienced extreme difficulty and long delays trying to collect this compensation. It is our understanding that independent payphone providers in Florida and across the country still do not receive approximately thirty to forty percent of the compensation due to them.

Section 276 expresses the need to "promote competition among service providers" and "the widespread deployment" of payphone services. However, in large part due to problems with identifying the appropriate long-distance carrier to bill and the associated problems with collecting dial around compensation, many independent payphone providers are under serious economic duress. In 1999, approximately 200 independent payphone providers were forced out of business and 7,000 payphones were pulled from the market.

We would appreciate your review on this matter and respectfully request that you provide us with an update on the Commission's plans for adopting a rule to deal with this matter. Thank you for your consideration. With my regards and best wishes, I remain

Sincerely,



John L. Mica
Member of Congress

PRINTED ON RECYCLED PAPER

JLM:jjg

Congress of the United States
Washington, DC 20515

July 6, 2000

The Honorable William Kennard
Chairman
Federal Communications Commission
1919 M St NW
Washington, D.C. 20036-3521

Dear Chairman Kennard:

We are writing again to ask you to take prompt action regarding payphone line pricing in Wisconsin. We appreciate your immediate attention to this matter.

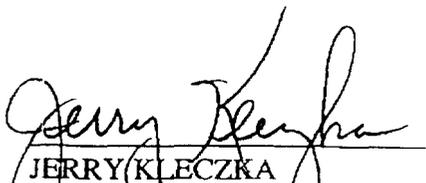
On March 2, the Federal Communications Commission (FCC) issued an order directing the four largest local exchange carriers (LECs) in Wisconsin to file cost-based payphone line rate tariffs with the FCC. As you know, this matter had been pending before the Commission for more than a year and a half before any action was taken.

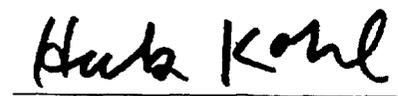
The March 2 order directed the four affected companies to file payphone line tariffs with the FCC by May 12, 2000. However, on April 12, the Common Carrier Bureau without explanation arbitrarily and unilaterally extended that deadline until August 12. We are concerned that this three-month extension, or any further extension the Bureau may order, will only delay further the resolution of this issue.

It is our understanding that the affected companies have formally protested the price guidelines in the March 2 order. We ask that the FCC act quickly to resolve any substantive issues raised by the protest, as well as any additional ones that may be raised by the affected LECs. We also request that you rescind the April 12 extension order since it constitutes a de facto stay of the March 2 order and will negatively impact independent payphone providers in Wisconsin.

Thank you in advance for your prompt attention to this matter.

Sincerely,


JERRY KLECZKA
Member of Congress


HERB KOHL
U.S. Senator