

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 6012

Generic Investigation Into the Transition)
from Regulation to Competition for Public)
Telephone Services in Vermont)

Order entered: 6/2/98

PROCEDURAL ORDER Re:
PAYPHONE MARKET MONITORING
AND INTERVENTION REQUESTS
AND
NOTICE OF PREHEARING CONFERENCE

BACKGROUND

At the initial workshops in this docket on January 15 and 16, 1998, the parties agreed that it would be appropriate to monitor the payphone market for a period of time to assess the need for a public interest payphone program. On March 6, 1998, the Department of Public Service ("DPS") presented a payphone monitoring proposal that it believed would satisfy the criteria for such a monitoring program. After receiving input from several of the parties, the DPS revised its proposal as part of its filing of April 22, 1998, regarding unresolved issues in this docket. Only one party, the New England Public Communications Council, Inc., filed additional comments on the DPS's revised proposal.

Monitoring Program

Based on the parties' comments, I find the DPS's recommendation for a payphone monitoring plan, with some minor adjustments, reasonable to allow us to obtain information to guide later study of a public interest payphone program. Therefore, the parties shall implement a payphone monitoring program as outlined below. This program will require each payphone provider to file reports with the following characteristics to the Board and all parties:

1. Name of Provider.
2. Date of Report.

3. Period Report Covers. The initial report, which shall be filed by June 15, 1998, will cover the six-month period ended December 31, 1997. This report shall clearly show any changes from July 1, 1997, through December 31, 1997. The second report, which will cover the five-month period from January 1, 1998, to June 1, 1998, shall be filed by August 1, 1998. These are the only two reports that will be required at this time. As we discuss the need for a public interest payphone program during further proceedings on this matter in August, we can determine the schedule for filing any additional reports, if needed.

4. Number of Pay Stations Statewide and by Exchange as of the Appropriate Date for the Report. This section should clearly show both the number of payphone stations statewide and in each exchange, as well as any net change from the earlier period or report.

Because I agree with the DPS that defining payphone locations may be very complicated and difficult, I believe that reports of the number of payphone stations by exchange will be sufficient for the purpose of assessing geographic distribution. I recognize, however, that disaggregation at the exchange level may not provide sufficient specificity to guide future decisions.

5. Number of Coinless Stations. This is an important distinction necessary for an accurate assessment of the need for a public interest payphone program.

6. Number of Indoor and Outdoor Stations. I agree with the DPS that this information would be more meaningful than providers' estimates of the number of stations with 24-hour access.

7. Number of Stations with TTY Provided.

8. Number of Stations that are TTY Compatible.

9. Changes in the Number of Pay Stations Statewide and by Exchange Attributable to Seasonal Installation and Removal. Particularly for those companies with a large number of seasonal payphones, this information will be very meaningful for an accurate assessment of real changes in payphone deployment.

10. Most Common Coin Rate Broken Down by Initial Period and Additional Period. Both should include the length of time for the initial and additional periods.

11. Number of Stations with the Local Coin Rate Exceeding the Most Common Rate.

12. Lowest Coin Rate (including whether the initial time period and additional time period differ from the most common rate periods.

13. Highest Rate, and the Number of Stations at this Rate.

14. Number of Stations with Incoming Call Blocking. This information will help determine the magnitude of this potential problem for the E911 system.

All of the above information can be provided according to the format outlined on the form attached to this Order and identified as Exhibit A.

Confidentiality

Any requests for confidentiality of the information provided in these reports will be handled according to normal Board procedures for commercially sensitive information. Consequently, providers that file allegedly confidential information must also file a proposed protective agreement for signature by any other party wishing access to this information. At this time, however, I do not presume that any of the information should be treated confidentially.

Remaining Process for Docket and Notice of Prehearing Conference

Workshop: After the filing of the information outlined above, I will convene another workshop in mid to late August to assess the information and discuss the need for a public interest payphone program in Vermont. The date for this workshop will be determined at the prehearing conference to begin the process of deciding the unresolved issues in this investigation as discussed below.

Prehearing Conference: I will convene a prehearing conference, pursuant to 30 V.S.A. §§8, 10 and 209, on Thursday, June 11, 1998, at 10:00 A.M., at the Public Service Board Hearing Room, Third Floor, Chittenden Bank Building, 112 State Street, Montpelier, Vermont, to set the schedule for the resolution of the unresolved issues in this docket.

Intervention Requests

On January 29, 1998, the Vermont Center for Independent Living filed a motion to intervene with the Board and all parties pursuant to Public Service Board Rules 2.206 and 2.209. Since the Vermont Center for Independent Living is an organization with members who will be directly affected by the outcome of this proceeding, since the organization's interests are unique and will not be adequately addressed by other parties, since the organization has no alternative

means, other than through participation in this proceeding, to protect its interests, and since no other party has objected to its participation, the request is granted.

On February 12, 1998, Sprint Communications Company L.P. ("Sprint") filed a petition to intervene pursuant to Board Rule 2.2 with the Board and all parties. Since Sprint is a prospective provider of payphone service in Vermont, since its interests in the proceeding cannot be adequately represented by other parties, since Sprint's participation in this docket will depend on the scope of the proceeding as already developed by the Board, and since no party has objected to Sprint's participation, the petition to intervene is granted.

DATED at Montpelier, Vermont, this 2nd day of June, 1998.

s/ Peter B. Meyer
Peter B. Meyer, Hearing Officer

OFFICE OF THE CLERK

Filed: June 2, 1998

Attest: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board of any technical errors, in order that any necessary corrections may be made.