

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet**

<p>1. REPORT DATE: March 5, 2002</p>	<p>2. BUREAU AGENDA NO. MAR-2002-FUS-0417*</p>
<p>3. BUREAU: Fixed Utility Services</p>	<p>5. PUBLIC MEETING DATE: March 14, 2002</p>
<p>4. SECTION(S): Telecommunications</p>	<p>DOCKETED MAR 27 2002</p>
<p>6. APPROVED BY:</p> <p>Director: Rosenthal 3-5242 <i>[Signature]</i></p> <p>Manager: Wagner 3-6175 <i>[Signature]</i></p> <p>Legal Review by: Arnold 7-8032 <i>[Signature]</i></p>	
<p>7. PERSONS IN CHARGE: <i>WBP</i> Brett/House/Matchik 7-5155/3-6174/3-6163</p>	
<p>8. DOCKET NO.: A-311139 A-311139F0002</p>	

- 9. (a) CAPTION (abbreviate if more than 4 lines)**
(b) Short summary of history & facts, documents & briefs
(c) Recommendation

DOCUMENT FOLDER

(a) Application of Citizens Telecom Solutions, LLC in Docket No. A-311139 for approval to offer, render, furnish, or supply telecommunications services as a Reseller of Interexchange Toll Services to the Public in the Commonwealth of Pennsylvania.

Application of Citizens Telecom Solutions, LLC in Docket No. A-311139 F0002 for approval to offer, render, furnish, or supply telecommunications services as a Facilities-Based Competitive Local Exchange Carrier to the Public in the Commonwealth of Pennsylvania.

(b) On September 25, 2001, the subject Applications were filed; and on February 14, 2002, an addendum to the CLEC Application was filed. No protests were filed and no hearings were held.

(c) The Bureau of Fixed Utility Services recommends that the Commission adopt the proposed Order approving the Applications.

10. MOTION BY: Commissioner Chm. Thomas

SECONDED: Commissioner Bloom

Commissioner Pizzigrilli - Yes
Commissioner Wilson - Yes
Commissioner Fitzpatrick - Yes

CONTENTS OF MOTION: Staff recommendation adopted.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

March 15, 2002

REFER TO OUR FILE

A-311139

A-311139F0002

BENNET & BENNET PLLC
1000 VERMONT AVENUE NW
WASHINGTON DC 20005

DOCUMENT
FOLDER

Application of Citizens Telecom Solutions, LLC for approval to offer, render, furnish or supply telecommunication services as a Reseller of Interexchange Toll Services to the Public in the Commonwealth of Pennsylvania

Application of Citizens Telecom Solutions, LLC for approval to offer, render, furnish or supply telecommunication services as a Facilities-Based Competitive Local Exchange Carrier to the Public in the Commonwealth of Pennsylvania

To Whom It May Concern:

This is to advise you that an Order has been adopted by the Commission in Public Meeting on March 14, 2002 in the above entitled proceeding.

An Order has been enclosed for your records.

Very truly yours,

DOCKETED

MAR 20 2002

James J. McNulty
Secretary

Enclosure
Certified Mail
JEP

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA. 17105-3265**

Public Meeting held March 14, 2002

Commissioners Present:

Glen R. Thomas, Chairman
Robert K. Bloom, Vice Chairman
Kim Pizzingrilli
Aaron Wilson, Jr.
Terrance J. Fitzpatrick

Application of Citizens Telecom Solutions, LLC for approval to offer, render, furnish or supply telecommunication services as a Reseller of Interexchange Toll Services to the Public in the Commonwealth of Pennsylvania.

Docket Number
A-311139

Application of Citizens Telecom Solutions, LLC for approval to offer, render, furnish or supply telecommunication services as a Facilities-Based Competitive Local Exchange Carrier to the Public in the Commonwealth of Pennsylvania.

Docket Number
A-311139 F0002

**DOCUMENT
FOLDER**

ORDER

DOCKETED

MAR 20 2002

BY THE COMMISSION:

On September 25, 2001, Citizens Telecom Solutions, LLC ("Applicant") filed an Application seeking a Certificate of Public Convenience pursuant to the

Telecommunications Act of 1996, 47 U.S.C. §§201, *et seq.*, (TA-96)¹ and to Chapter 11 and 30 of the Public Utility Code (Code) (66 Pa. C.S. §1101, *et seq.*, and §§3001, *et seq.*) evidencing authority to provide the following telecommunication services to residential and business customers:

- (1) As a Reseller of intra and interLATA Interexchange Toll Services (IXC) throughout the Commonwealth, and
- (2) As a Facilities-Based Competitive Local Exchange Carrier (CLEC) in the service territories of Verizon Pennsylvania, Inc. and Verizon North, Inc. within the State of Pennsylvania.

The Applicant complied with Section 5.14 of our regulations, 52 Pa Code §5.14, relating to Applications requiring notice. No protests were filed. No hearings were held.

The Applicant asserts that it will not be a rural telephone company. The Applicant served a copy of the Application upon Verizon Pennsylvania, Inc. and Verizon North, Inc.

The Applicant is a Pennsylvania Company with its principal place of business at Route 982, P.O. Box 135, Mammoth, PA 15664, phone (724) 423-4444, fax (724) 423-1000. Correspondence to resolve complaints may be directed to Ms. Joyce Musick, Customer Service Manager, at company headquarters. The Applicant complied with 15 Pa. C.S. §8913, relating to a Domestic limited liability company. The Applicant's registered office provider is C T Corporation System of Westmoreland County. The Applicant will not be using a fictitious name.

¹ Market entry requirements, in light of the policy objectives of the TA-96, for telecommunication service providers are set out in *In Re: Implementation of the Telecommunications Act of 1996*, Docket No. M-00960799 (*Implementation Order*: June 3, 1996; and *Implementation Reconsideration Order*: September 9, 1996).

The Applicant lists a total of five affiliates, including two public utilities, doing business in Pennsylvania, including Citizens Long Distance at Docket No. A-310389. The Applicant also lists no affiliates doing business outside Pennsylvania.

The Applicant will provide local calling, long distance calling, operator-assisted calling, directory assistance, access to TRS, access to E911 and 911 emergency services, pay telephone service line with screening, Centrex and PBX trunks, telephone Lifeline services, other data services, CLASS services and features, and ISDN. The Applicant will provide this service via a combination of its own network and network elements purchased from the incumbent local exchange carrier (ILEC). The Applicant acknowledges having access to the required transport, switching, and most of the distribution network. The Applicant also states that some portion of the distribution network may be provided on leased facilities served out of collocation sites in ILEC central offices.

Issues affecting CLECs have been addressed and are being addressed in a number of Commission proceedings.² A CLEC applicant is expected to adhere to the requirements relative to universal service and lifeline programs, as initially set forth or as subsequently enlarged or modified.³ Further, Section 253(b) of the TA-96 permits a state Commission to impose, on a competitively neutral basis and consistent with the Universal Service Section, requirements necessary to preserve and advance universal service, protect the public safety and welfare, ensure the continued quality of telecommunication services, and safeguard the rights of consumers. In response, we articulated explicit concerns relative to an Applicant's financial fitness, tariff compliance, and rates.⁴

² See, e.g., *MFS, Intelenet, et al.*, Docket Nos. A-310203, F0002, *et al.*, (October 4, 1995; July 31, 1996; and August 7, 1997); *Pa. PUC v. Bell*, Docket No. R-00963578; *Pa. PUC v. GTE*, Docket No. R-0093666, *Global Order*, Docket Nos. P-00991648 and P-00991649, as well as other CLEC proceedings.

³ *Universal Service Invest.*, Docket No. I-00940035 (January 28, 1997).

⁴ *Blue Ribbon*, Docket No. A-310442 (April 25 and August 4, 1997).

The Applicant has provided financial information to support its Applications. We, therefore, conclude that the Applicant has demonstrated that it is financially capable of providing telecommunication services as an IXC Reseller and a Facilities-Based Competitive Local Exchange Carrier.

We conclude that the Applicant has met the requirements for certification as an IXC Reseller and as a Facilities-Based CLEC, consistent with this Order. Premised upon our review of the Applications and the proposed tariffs, and consistent with our Orders, the Code, our Regulations and the TA-96, we conclude that the Applicant's proposed services do not raise concerns at this time regarding safety, adequacy, reliability, or privacy as contemplated by Section 3009(b)(4) of the Code. We note, however deficiencies in the proposed tariffs. See Appendix A.

We shall direct the Applicant to revise the proposed tariffs in accordance with the changes noted in Appendix A of this Order.⁵ The Applicant shall thereafter file its Initial Tariffs reflecting the requested changes on or before sixty (60) days from the date of entry of this Order. Copies of the Initial Tariffs shall also be served upon the same entities receiving service of the original Application, including the ILECs. If the time required for such resolution and filing exceeds sixty (60) days, the Applicant may request an extension of an additional sixty (60) days with the Commission's Secretary. Thus, if the Initial Tariffs are not filed within 60 days (120 days including the extension) of the entry of this Order, the Application will be dismissed and the authority granted herein will be revoked without further Commission Order. To the extent that the proposed tariffs contain rates, the Initial Tariffs may become effective on one (1) day's notice from the date upon which they are filed and served.

⁵ John Matchik, 717-783-6163, is the FUS contact. Regardless of the review process, any tariff provision(s) inconsistent with the provisions of the Code, the TA-96, or our Regulations or Orders will be deemed inoperative and superseded. (52 Pa. Code §64.213).

Conclusion

Accordingly, we shall grant the Application. The Applicant has had provisional authority under our *Implementation Order* (p. 7, para. B.1.c.4) and our *Implementation Reconsideration Order* (p. 5) to provide the proposed IXC Reseller and Facilities-Based CLEC services pursuant to its proposed tariffs during the pendency of the Application process. Upon the establishment of filed rates and the approval of the Initial Tariffs, a Certificate of Public Convenience shall be issued evidencing the Applicant's authority to provide services as an IXC Reseller in the Commonwealth, and as a Facilities-Based CLEC in the service territories of Verizon Pennsylvania, Inc. and Verizon North, Inc., consistent with this Order and our decisions in the *MFS* and such other proceedings; **THEREFORE,**

IT IS ORDERED:

1. That the Application of Citizens Telecom Solutions, LLC at Docket No. A-311139, for authority to operate as a Reseller of Interexchange Toll Services throughout the Commonwealth is granted, consistent with this Order.
2. That the Application of Citizens Telecom Solutions, LLC at Docket No. A-311139F0002, for authority to operate as a Facilities-Based Competitive Local Exchange Carrier within the service territories of Verizon Pennsylvania, Inc. and Verizon North, Inc. is granted, consistent with this Order.
3. That the Applicant is directed to revise its proposed tariffs to reflect the changes noted in Appendix A of this Order.

4. That the Applicant shall file its Initial Tariffs consistent with the requisite changes noted in Appendix A of this Order, within sixty (60) days after the date of entry of this Order. The Applicant shall serve copies of its Initial Tariffs on each entity receiving a copy of the original Application. To the extent the Proposed Tariffs contain rates, the Initial Tariffs may become effective on or after one (1) day's notice from the date upon which they are filed and served. If the Proposed Tariffs did not contain rates, the Initial Tariffs may not become effective prior to sixty (60) days' notice. The Initial Interexchange Tariff shall be labeled "Interexchange Reseller Toll Tariff." The Initial Competitive Local Exchange Carrier Tariff shall be labeled "Facilities-Based Competitive Local Exchange Carrier Tariff."

5. That the Applicant shall comply with all the provisions of the Public Utility Code, as now exist or as may be hereafter amended, and with all pertinent rules, regulations, and Orders of the Pennsylvania Public Utility Commission, now in effect or as may be prescribed by the Pennsylvania Public Utility Commission, including but not limited to: the *MFS Intelenet, et al.*, Docket Nos. A-310203F0002, *et al.*; and the *Universal Service Investigation*, Docket No. I-00940035; and the *Global Order*, Docket No. P-00991648, *et al.*

6. That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the Applicant, shall not be construed as conferring more than one operating right to the Applicant.

7. That the Applicant maintain separate accounting systems for its interexchange toll operations and competitive local exchange carrier operations.

8. That the Applicant shall file such affiliated interest agreements as may be necessary relative to any transactions with affiliates.

9. That the Applicant contact each county or municipal authority where it intends to provide CLEC telecommunications service, and make the necessary arrangements for the provisioning of Emergency 911 service.

10. That the Applicant shall make 711 abbreviated dialing available to access Telecommunications Relay Service and to arrange its switching equipment to translate these calls to the assigned toll-free number, (888) 895-1197, in order to route calls to the Telecommunications Relay Service Provider, in accordance with Commission's Order entered on February 4, 2000 at Docket No. M-00900239.

11. That in the event that the Applicant has not, on or before sixty (60) days (120 days including an approved extension) from the date of entry of this Order, complied with the requirements set forth herein, the Application at Docket Nos. A-311139 and A-311139F0002 may be dismissed and the authority granted herein revoked without further Commission Order.

12. That upon the establishment of filed rates and the approval of the Initial Tariffs, a Certificate of Public Convenience shall be issued authorizing the Applicant to furnish services as a Reseller of Interexchange Toll Services within the Commonwealth of Pennsylvania and to furnish services as a Facilities-Based Competitive Local Exchange Carrier within the service territories of Verizon Pennsylvania, Inc. and Verizon North, Inc., consistent with this Order.

BY THE COMMISSION,



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: March 14, 2002

ORDER ENTERED: **MAR 15 2002**

Citizens Telecom Solutions, LLC
Docket No. A-311139 & A-311139F0002
Proposed Tariffs for
Reseller of Interexchange Toll Carrier Services
and
Facilities-Based Competitive Local Exchange Carrier Services

Citizens Telecom Solutions, LLC (Respondent) is seeking a Certificate of Public Convenience to provide telecommunications services as a Reseller of Interexchange Toll Services (IXC) and a Facilities-based Competitive Local Exchange Carrier (CLEC) in Pennsylvania. Respondent filed proposed initial tariffs with its application for the above mentioned telephone services. The proposed tariffs contain certain deficiencies discussed here. Respondent should address these deficiencies before the tariffs can be approved.

Reseller of Interexchange Toll Services tariff deficiencies: (A-311139) (Citizens)

1. The heading "Tariff Telephone – Pa. P.U.C. No. 3" should appear in the upper right corner of every tariff page.
2. The type of service "IXC Reseller" should be placed in the center of the upper margin on each page.
3. The Title Page should read as follows:

REGULATIONS AND SCHEDULE OF CHARGES

Applicable to
RESELLER OF INTEREXCHANGE TOLL SERVICES
Provided by

Citizens Telecom Solutions, LLC
Route 982, P O Box 135
Mammoth, PA 15664

In
The Commonwealth of Pennsylvania

4. The Issued Date in the lower left corner of every tariff page shall be the date the tariff is approved.
5. The Effective Date in the lower right corner of every tariff page shall be the day after the date the tariff is approved.
6. Explanation of Symbols – Original Sheet 4 – Use only the following symbols (53.22 of 52 Pa. Code):

Symbol

Increase in rates	(I)
Decrease in rates	(D)
Change	(C)

Competitive Local Exchange Carrier tariff deficiencies: (A-311139 F0002) (Citizens)

1. The heading “Tariff Telephone – Pa. P.U.C. No. 1” should appear in the upper right corner of every tariff page.
2. The type of service “Competitive Local Exchange Carrier” should be placed in the center of the upper margin on each page.

3. The Title Page should read as follows:

REGULATIONS AND SCHEDULE OF CHARGES

Applicable to
**FACILITIES-BASED
COMPETITIVE LOCAL EXCHANGE CARRIER SERVICES**

Provided by
Citizens Telecom Solutions, LLC
Route 982, P O Box 135
Mammoth, PA 15664

In
The Commonwealth of Pennsylvania

In
The territories serviced by
Verizon Pennsylvania, Inc. and Verizon North, Inc.
As described in Section 14 of this Tariff

4. The Issued Date in the lower left corner of every tariff page shall be the date the tariff is approved.
5. The Effective Date in the lower right corner of every tariff page shall be the day after the date the tariff is approved.

6. Explanation of Symbols – Original Sheet No. 3-1 – Use only the following symbols (53.22 of 52 Pa. Code):

Symbol

Increase in rates	(I)
Decrease in rates	(D)
Change	(C)

7. Interruption of Service – Original Sheet No. 3-2 – Paragraph 3.3.2 – Add another paragraph stating “Interruptions beyond three 24-hour periods will be credited two-thirtieths of the monthly rate for each full 24-hour period. However, in no instance shall the allowance for the out-of-service period exceed the total charges in the billing period for the services and facilities furnished by the company rendered useless or impaired.” (in accordance with 64.52 of 52 Pa. Code).
8. Guarantee of Residential Customer Account – Original Sheet No. 3-10 – Paragraph 3.5.2.1 – Change “16 days” from the date of notification to “20 days” (in accordance with 64.12 of 52 Pa. Code).
9. Interest on Deposits – Original Sheet No. 3-13 – Paragraph 3.5.4.4 – Add a clarification to the first sentence that the rate should be calculated in accordance with 64.41 of 52 Pa. Code.
10. Billing Due Date – Original Sheet No. 3-16 – Paragraph 3.7.1 – Change “16 days” after issuance to “20 days” (in accordance with 64.12 of 52 Pa. Code).
11. Billing Penalty – Original Sheet No. 3-16 – Paragraph 3.7.2 – Delete this section, as penalties do not apply in Pennsylvania.

12. Late Payment Charge – Original Sheet No. 3-17 – Paragraph 3.7.3.4 – Change “5%” to “1.25%” (in accordance with 64.16 of 52 Pa. Code).

13. Resolution of Disputes – Original Sheet No. 3-23 – Paragraph 3.8.5 – Clarify that the customer, before actual suspension or termination of service, can bring disputes to the attention of the carrier either orally or in writing. Note that suspension or termination is prohibited until the resolution of the dispute; and that within 10 days of a carrier’s written summary on the findings/resolution of the dispute, an informal complaint can be filed with the Commission. In the next to last sentence, after “file a complaint”, insert “with the Bureau of Consumer Services”.

Also include the Bureau address as follows:

Bureau of Consumer Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pa. 17105-3265

The Bureau of Consumer Services’ Toll-Free Telephone Number is (800) 782-1110.

14. Termination of Service – Customer’s Request – Original Sheet No. 3-27 – Paragraph 3.14 – Clarify that a Customer who wishes to have service discontinued shall give at least 5 days oral or written notice to the Company (in accordance with 64.53 of 52 Pa. Code).

15. Local Exchange Access Line Service Rates – Original Sheet No. 4-4 – Paragraph 4.3.1 – Delete the State Universal Service Fund charge.

16. Lifeline and Link-Up America Programs – Original Sheet No. 4-8 – Replace this entire section with language prescribed by the Global Order at Pa. Docket Nos. P-00991648 and P-00991649, entered August 17, 2000, and R-00017044 (copy attached).

17. Feature Description – Original Sheet No. 6-7 – Add a description of Per-Call and Per-Line Blocking in this section.
18. Directory Assistance – Original Sheet No. 9-2 – Paragraph 9.3.1 - The Company should offer any of its Residential Customers two free directory assistance calls per month.
19. Private Line Service Channels – Original Sheet Nos. 10-1 & 10-2 – This section is inappropriate for a CLEC authority tariff; instead it is a Special Access Service that should be established in a separate CAP authority tariff.
20. Universal 911 Emergency Service – Original Sheet Nos. 11-1 – 11-20 – Since the part regarding Transport and Trunk Line charges is inappropriate in an end-user tariff, replace this entire section and simply describe a 911 service calling plan that includes explanation language in accordance with Pa. Docket Nos. P-00971203 and M-00991217, order entered May 17, 2000 (copy of sample language attached).
21. Promotional Offerings – Original Sheet No. 12-1 – Add the statement clarifying that promotional offerings are to be filed with the Commission on at least one day's notice prior to the actual offering to Customers (in accordance with 53.60 of 52 Pa. Code).
22. IntraLATA Presubscription Plan – Add this section and include explanation language in accordance with Pa. Docket No. I-00940034, order entered October 03, 1997.
23. Local Exchange Service Areas – Section 15 – Remove maps and reference the ILEC's tariff pages instead.
24. Add a section with an explanation of Call Blocking 900/976.

25. General Statements – The tariff should contain the following statements: “Any portions of this tariff which are inconsistent with 52 Pa. Code will be deemed inoperative.” And “The Company complies with the requirements of Chapter 64 in Title 52 regarding billing standards and practices for residential customers. In instances where sections of this tariff may conflict with Chapter 64 regulations, the regulations in Chapter 64 will prevail.”

Switched Access tariff deficiencies: (A-311139 F0002) (Citizens)

1. The heading “Tariff Telephone – Pa. P.U.C. No. 2” should appear in the upper right corner of every tariff page.
2. The type of service “Switched Access Services” should be placed in the center of the upper margin on each page.
3. The Title Page should read as follows:

REGULATIONS AND SCHEDULE OF CHARGES

Applicable to
SWITCHED ACCESS SERVICES
Provided by
Citizens Telecom Solutions, LLC
Route 982, P O Box 135
Mammoth, PA 15664
In
The Commonwealth of Pennsylvania

4. The Issued Date in the lower left corner of every tariff page shall be the date the tariff is approved.
5. The Effective Date in the lower right corner of every tariff page shall be the day after the date the tariff is approved.
6. Explanation of Symbols – Prefix – Original Page 2 – Use only the following symbols (53.22 of 52 Pa. Code):

Symbol

Increase in rates	(I)
Decrease in rates	(D)
Change	(C)

7. Unresolved Billing Disputes – Section 2 – Original Page 2 – Add “Bureau of Consumer Services” to the address of the Commission.
8. Rates – Section 5 – Only have pages 1 & 6, so account for the missing pages.

Telephone Company

Section X
Original Sheet 1

911 TARIFF LANGUAGE

1. GLOSSARY OF TERMS

Host Telephone Company: The service provider, which is also the telecommunications public utility that provides 9-1-1 service to the county/municipality, and that houses the Automatic Location Identification (ALI)/MSAG data used for providing 9-1-1 service.

Telephone Company: A telecommunications public utility regulated by the Pennsylvania Public Utility Commission and which has or requests access to the county/municipality 9-1-1 system or connection to the serving selective router, including, but not limited to, local exchange carriers and competitive local exchange carriers. This term is synonymous with 'service provider'.

Content: The data elements of the MSAG including (but not necessarily limited to) the data elements that are entered into the following fields A-I of a standard MSAG record:

- A. Tax area record
- B. Locality
- C. Street
- D. Thoroughfare
- E. Directional [where required]
- F. Even (E), odd (O), or all (A) [applied to house numbers]
- G. Low-high range of house numbers
- H. PSAP (Public Safety Answering Point)
- I. LAT/LONG (Latitude/Longitude) [where required]

Formatting, Format: Shall include changes to the identity of fields, order of fields, and number and arrangement of data elements in each field, and a telephone company's rearrangement or regrouping of such data, without changing the MSAG content, for purposes of validating against MSAG records.

2. REGULATIONS

- A. The Telephone Company will comply with the Protocols as set forth in, and in the form of, Service Provider E-9-1-1 Protocols, Service Provider E-9-1-1 Questionnaire and Testing Procedures in accordance with the Petition of Bell Atlantic-Pennsylvania, Inc. for a Declaratory Order (MSAG); Docket No. P-00971203; Settlement Agreement of all Parties and Joint Petition entered August 7, 1998.
- B. The Telephone Company is indemnified under the Public Safety Emergency Telephone Act, Act 78 of 1990.
- C. The Telephone Company's liability and insurance provisions are fully stated in Pa. P.U.C. No. 1, Section 1, General Regulations.
- D. Cases of Service interruptions affecting public health and safety shall receive priority attention under any and all conditions, particularly in time of disaster. Every appropriate resource will be utilized. The service provider will make reasonable best efforts to have its system fully functional as soon as possible, unless conditions beyond the service provider's control prevent service restoration.

Issued:

Effective:

911 TARIFF LANGUAGE

2. REGULATIONS (cont'd)

- E. The service provider will not use the county's/municipality's MSAG for any purpose that is not directly related to and required for the provision of 9-1-1 service.
- F. The Host Telephone Company will install the county's/municipality's MSAG in 'read/write' format and will not modify the content of the MSAG unless requested or permitted to do so by the county/municipality. A request to modify content by the Host Telephone Company shall be responded to by the county/municipality within (10) business days or the request is deemed to be approved. The request shall be in writing and shall set forth in reasonable detail the proposed modification and all reasons in support. The request shall be granted provided the modification is necessary for the Host Telephone Company's provision, maintenance, or upgrading of the 9-1-1 service.
- G. The Telephone Company shall not otherwise modify the content of the MSAG, but may make formatting changes approved by the county/municipality necessary to enable the MSAG to conform to the telephone company's information system(s). The request shall be in writing and shall set forth in reasonable detail the formatting changes and all reasons in support. The county/municipality shall respond to the request in ten (10) business days or the request is deemed to be approved. The request shall be granted provided the formatting change does not impair the integrity and accuracy of the MSAG database. For the purposes of this regulation, a content or formatting change does not include the use of the MSAG content in telephone companies' operational support systems to validate customer information for input to the ALI database.
- H. The service provider will not sell, lease, rent, loan or provide, or transfer the county's/municipality's MSAG to any other person(s) or entity(ies) without the express written authorization of the county's/municipality's 9-1-1 coordinator, or his or her designee.
- I. The Telephone Company will not, without the written consent of the county/municipality, modify or create any derivative of the county's/municipality's MSAG, except as follows: one (1) mirror image copy of the MSAG may be made in electronic form for archival purposes (the copy may be made in read/write format by the host telephone company, but shall be made solely in read-only format by all other telephone companies), and the telephone company may make a mirror image copy, solely in read-only format and only for database reconciliation, address verification for new connections of service, and other functions that are necessary to ensure that the name and address information provided by the service provider to the county/municipality is accurate and conforms to the county's/municipality's MSAG format.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA. 17105-3265

Public Meeting held August 17, 2000

Commissioners Present:

John M. Quain, Chairman
Robert K. Bloom, Vice Chairman
Nora Mead Brownell
Aaron Wilson, Jr.
Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission
vs.
Pennsylvania Telephone Association

Docket Numbers:
P-00971203
M-00991217

ORDER

BY THE COMMISSION:

On June 2, 2000, Pennsylvania Telephone Association ("PTA"), filed proposed tariff revisions on behalf of its member Companies, to establish 911 tariff language in accordance with the 911 protocol guidelines established by the Commission in its order entered on May 17, 2000 at Docket Nos. P-00971203 and M-00991217.

Our review of the proposed tariff revisions, indicates that they are in compliance with revised Protocol No. 5, Section (e), attached to the Commission order at Docket Nos. P-00971203 and M-00991217.

After our review of PTA's proposed tariff filing, it does not appear that this filing is unlawful, unjust, unreasonable, or contrary to the public interest. Therefore, we will

approve the proposed tariff filing. However, approval of this proposed tariff filing does not constitute a determination that such tariff filing is lawful, just, or reasonable, but only that further suspension or investigation does not appear to be warranted at this time;

THEREFORE,

IT IS ORDERED:

1. That PTA's proposed tariff filing, for the purpose of making the above mentioned revisions is approved.
2. That a copy of this Order be served upon each certificated Local Exchange Carrier.
3. That within twenty (20) days of the entry date of this order, each certificated Local Exchange Carrier shall file tariff revisions with the Commission to include the PTA's approved 911 tariff language attached hereto, to become effective on one day's notice.
4. That any certificated Local Exchange Carrier filing tariff revisions which are substantially different than the PTA's proposed 911 tariff language, shall file said tariff revisions to become effective on sixty (60) day's notice and shall provide detailed reasons for the deviation.
5. That this Order is without prejudice to any formal complaints timely filed against this proposed tariff filing.

6. That this case be marked closed.

BY THE COMMISSION,

James J. McNulty

Secretary

(SEAL)

ORDER ADOPTED: August 17, 2000

ORDER ENTERED: August 17, 2000

SECTION 3 - DESCRIPTION OF SERVICE (Cont'd)

3.6 Additional Local Exchange Service Offerings (Cont'd)

3.6.20 911 Emergency Services

3.6.20.A Description

Emergency Telephone Service (911) allows Customers to reach emergency services, including: police, fire and hospital medical services. Enhanced 911 Service has the ability to selectively route an emergency Call to the primary 911 provider so that it reaches the correct emergency service located closest to the Caller. In addition, Enhanced 911 ("E911") Service enables the Customer's address and telephone information to be displayed to the person handling the 911 Call.

The Company will provide access to 911 and E911 services on a toll-free basis, to all Customers in Pennsylvania, either directly or through arrangements with other telecommunications carriers.

3.6.20.B General principles

The Company will comply with county/municipality 911 protocols.

3.6.20.C Confidentiality

E911 information, which consists of the names, addresses and telephone numbers of all telephone Customers, is confidential, to the extent possible. The Company will release such information to the PSAP or Public Safety Agency, on a Call-by-Call basis, only after an E911 Call has been received and for the sole purpose of responding to an emergency Call in progress.

Issued:

Effective:

By:

SECTION 3 - DESCRIPTION OF SERVICE (Cont'd)

3.6 Additional Local Exchange Service Offerings (Cont'd)

3.6.20 911 Emergency Services (Cont'd)

3.6.20.C Confidentiality (Cont'd)

By dialing 911, the 911 Calling Party waives the privacy afforded by non-listed and non-published service to the extent that the telephone number and address associated with the originating station location are furnished to the PSAP on a Call-by-Call basis, once a 911 Call has been placed. The Company assumes no liability for any infringement or invasion of any right of privacy of any person or persons caused, or claimed to be caused, directly or indirectly, by the installation, operation or failure to operate, maintenance, removal, presence, condition, occasion or use of 911 Telecommunications Service and the features associated therewith, including, but not limited to, the identification of the telephone number, address or name associated with the telephone used by the party(ies) accessing the 911 Telecommunications Service. The Customer must agree to release, indemnify, defend and hold harmless the Company for any such claims of infringement or invasion of the right of privacy.

3.6.20.D Liability and Indemnification

The offering of 911 Telecommunications Service is limited to the provision and use of the digits 9-1-1 as the Universal Emergency Telephone Number (Code). 911 Telecommunications Service is a one-way service only. The Company shall not incur any liability, direct or indirect, to any person who dials, or attempts to dial 911, or to any other person who may be affected by the dialing of the digits 911. The Company's entire liability arising out of the provision of 911 Telecommunications Service under this tariff shall be limited as set forth in this Section and in Section

(Compare Limitations of Liability)

The Company does not undertake to answer and forward 911 Calls to responding agencies, but only furnishes the use of its facilities to enable the Customer to access the PSAP for his/her region and to enable emergency personnel to respond to 911 Calls on the Customer's premises. The Company shall have no responsibility or liability to either the Customer or the PSAP for responding to E911 or other emergency referral Calls. That responsibility and any relating liability rests solely with the PSAP or Public Safety Agency.

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SECTION 3 - DESCRIPTION OF SERVICE (Cont'd)

3.6 Additional Local Exchange Service Offerings (Cont'd)

3.6.20 911 Emergency Services (Cont'd)

3.6.20.D Liability and Indemnification (Cont'd)

911 Telecommunications Service is provided solely for the benefit of the Customer. The provision of 911 Telecommunications Service by the Company shall not be interpreted, construed, or regarded as being for the benefit of, or creating any Company obligation toward, any third person or legal entity other than the Customer.

Each Customer agrees to release, indemnify, defend, and hold harmless the Company from any and all loss, claims, demands, suits, or liability whatsoever, whether suffered, made, instituted, or asserted by the customer or by any other party or person, for any loss, damage, or destruction of any property or personal injury, whether belonging to the Customer or others, as a result of the Customer's use of 911 Telecommunications Service.

The Customer also agrees to release, indemnify, and hold harmless the Company for any infringement or invasion of the right of privacy of any person, or persons caused or claimed to have been caused, directly or indirectly, by the installation, operation, failure to operate, maintenance, removal, presence, condition, occasion, or use of the 911 Telecommunications Service and the equipment associated therewith, including, but not limited to, the identification of the telephone number used by the party or parties accessing 911 Telecommunications Service hereunder, and which arise out of the negligence or other wrongful act of the Company, the Customer, its user, agencies or municipalities, or the employees or agents of any one of them.

By calling the 911 Telecommunications Service, the Calling Party gives the Company consent to provide 911 information, consisting of the name, address, and telephone number of the Customer at the location from which the Call was made, to law enforcement agencies and other emergency service providers, on a Call-by-Call basis, to enable those agencies and service providers to respond to emergency Calls for assistance.

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BUREAU OF
FIXED UTILITY SERVICES

LOCAL EXCHANGE SERVICE (cont.)

A. LIFELINE SERVICE

1. DESCRIPTION

Lifeline Service is a Residence offering for low-income customers who qualify for this service in accordance with the following Regulations. **NOTE: Customers who qualify for Lifeline Service may also qualify for Link Up America Service.** (C)
(C)

2. REGULATIONS

a. Lifeline Service is available to qualified residence customers and is provided via a residence individual Dial Tone Line. Lifeline Service is limited to only one Service per qualified customer or household. A potential Lifeline customer who has an outstanding final bill for telephone service which is less than (4) years old must pay the entire balance of any Basic Service final bill before being eligible for Lifeline Service.

b. Residence Lifeline Service consists of the following tariffed standard features and optional customer elected services at the applicable rates, charges and regulations for each feature and service provided:

1. One-Party Residence Unlimited Service and Local Measured Service, if available.
2. Directory Listing (standard only).
3. Non-Published or Non-Listed Telephone Number Service.
4. Access to Directory Assistance Service.
5. Touch Tone Calling Service.
6. Access to Message Toll Telephone Service and Optional Dial Station-To-Station Calling Plan Services. However, the Residence Lifeline Dial Tone Line will be blocked from dial station access to 976/556/900 and any other type of Audiotex Service.
7. Access to Operator Services.
8. Voluntary Toll Restriction Option.
9. Link Up America (if eligible).
10. Access to 800/888 Services.
11. Access to Call Trace.
12. Access to Alerting and Reporting Systems (9-1-1 dialing).
13. Access to the Pennsylvania Telecommunications Relay Service.
14. Caller ID Per-call and Per-line Blocking
15. One optional vertical service (1) (C)

(1) When a Lifeline customer subscribes to the company's or a private vendor's voice mail service as the optional vertical service, a second vertical service may be added if necessary to make the voice mail service function. (C)
(C)
(C)

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LOCAL EXCHANGE SERVICE (cont.)

A. LIFELINE SERVICE (cont.)

2. REGULATIONS (cont.)

- c. An applicant for Lifeline Service must be a current participant in one of the following Pennsylvania Department of Public Welfare (DPW) programs, federal public housing, and be able to provide proof of income which is at or below 150% of the annual United States Census Bureau Poverty Level Guidelines For All States (Except Alaska and Hawaii) and the District of Columbia. Recertification of Lifeline Service participants may be conducted biennially by [Name] Telephone Company. (C)
(C)

Pennsylvania Department of Public Welfare Lifeline Service Programs:

- * Temporary Assistance for Needy Families (TANF)
- * General Assistance (GA)
- * Supplemental Security Income (SSI)
- * Medicaid (C)
- * Food Stamps (C)
- * Low Income Home Energy Assistance Program (LIHEAP) (C)

The DPW Programs listed above must be certified by DPW. Such certification by DPW will be provided only when a DPW client requests Lifeline Service based on the client's status as a participant in any of the above eligibility programs. Certification by DPW will be limited to confirmation of the client's program status (i.e., participation or non-participation). Participation by DPW is subject to execution of an agreement with DPW and [Name] Telephone Company.

- d. Lifeline Service will be provided to a customer only so long as such customer continues to meet the participation and certification guidelines in 2 (c) above. At the time of initial establishment of Lifeline Service, the customer agrees to have his or her eligibility recertified as determined by [Name] Telephone Company. When the Company is notified by the customer or determines through recertification that the Lifeline Service customer is no longer a participant in the DPW programs in 2 (c) above or otherwise low-income eligible, the customer will be notified (by telephone or letter) that the Lifeline Service rate is no longer applicable. Within the stated customer notification period (10 working days from the date of the notification), the customer can contact the Company to negotiate new Dial Tone Service arrangements at applicable tariff rates (no connection charges will apply for existing services or options retained). If the customer does not contact the Company by the end of the notification period, the Lifeline Service will be changed to applicable Exchange Area Dial Tone Line service at existing tariff rates (no connection charges will apply to existing services or options retained). Upon contacting the Company, the customer will have ten (10) working days to complete the low-income certification or recertification process in order to retain Lifeline Service.

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LOCAL EXCHANGE SERVICE (cont.)

A. LIFELINE SERVICE (cont.)

2. REGULATIONS (cont.)

- e. A Lifeline Service customer may not subscribe to any other type of residence Local Exchange Service at the same or other premises. Lifeline Service will not be provided via Foreign Exchange or Foreign Central Office Service arrangements.
- f. Only services listed in 2 (b) above will be provided to Lifeline customers. All other premium services offered by the Company will not be available.
- g. Lifeline Service customers are required to apply for the Link Up America benefit when applicable.
- h. Customer requested temporary suspension of Lifeline Service is not permitted.
- i. Lifeline Service does not apply to applicants who are full time students living in university or college controlled housing.
- j. The applicant must not be a dependent for Federal Income Tax purposes, unless he or she is 60 years of age or older.
- k. Lifeline customers are subject to all Residence service regulations in this and other tariffs of [Name] Telephone Company.
- l. Residence Lifeline Service cannot be resold by the Lifeline customer or the Lifeline customer's agent(s).
- m. Resale of Lifeline Services are subject to wholesale rate obligations under Section 251(c)(4) of the Telecommunications Act of 1996.
- n. All outstanding charges, account balances and service restrictions apply to existing customers who qualify for Lifeline Service. Service restrictions will remain until the arrearage(s) have been paid in full.
- o. Any Lifeline customer who has a past due balance of Toll Charges will be treated with the appropriate Chapter 64 regulations. The Residence Toll Restoral Charge applies to Lifeline Customers who are suspended for non-payment and who subsequently pay their outstanding toll charges and request toll restoral. If a Lifeline customer is toll restricted for a second occurrence the Company may, at its discretion, place the Lifeline customer on permanent toll restriction.
- p. Toll-Blocking and Toll-Control services will be provided at no charge to Lifeline Service subscribers, to the extent that they are offered.

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LIFELINE SERVICE**C. LIFELINE SERVICE DIAL TONE LINE MONTHLY RATE**

1. Applicable Residence Dial Tone monthly rate minus \$1.75 (1)
2. Lifeline Service customers will be billed the applicable Subscriber Line Charge monthly rate and will be given credit for the same amount of the Subscriber Line Charge as prescribe by the Federal Communications Commission at Docket Nos. 00-256, 96-45, 98-77, 98-166, and 00-193.
3. Lifeline Service is subject to all applicable state, local and federal taxes and surcharges, and to all applicable tariff rates, charges, surcharges and regulations.

NOTE:

- (1) The Dial Tone Line and Subscriber Line Charge monthly rate discounts will be reduced to the extent that application of the full discount would not result in rates that are less than zero.

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LOCAL EXCHANGE SERVICE (cont.)

B. LINK UP AMERICA SERVICE

1. DESCRIPTION

Link Up America is a program designed to promote universal service by providing a discount on service connection charges for qualified low-income customers. **NOTE: Customers who qualify for Link Up America Service may also qualify for Lifeline Service.**

(C)
(C)

2. REGULATIONS

Link Up America is available to residence customers who meet the following eligibility criteria:

- a. The applicant must not be a dependent for federal income tax purposes, unless he or she is 60 years of age or older.

The applicant must self-certify the requirement set out in (a).

- b. An applicant for Link Up America Service must be a current participant in one of the following Pennsylvania Department of Public Welfare (DPW) programs, federal public housing, and be able to provide proof of income which is at or below 150% of the annual United States Census Bureau Poverty Level Guidelines For All States (Except Alaska and Hawaii) and the District of Columbia. Recertification of Lifeline Service participants may be conducted biennially by [Name] Telephone Company. (C)

Pennsylvania Department of Public Welfare Link Up America Service Programs:

- * Temporary Assistance for Needy Families (TANF)
- * General Assistance (GA)
- * Supplemental Security Income (SSI)
- * Medicaid
- * Food Stamps
- * Low Income Home Energy Assistance Program (LIHEAP)

The DPW Programs listed above must be certified by DPW. Such certification by DPW will be provided only when a DPW client requests Link Up America Service based on the client's status as a participant in any of the above eligibility programs. Certification by DPW will be limited to confirmation of the client's program status (i.e., participation or non-participation). Participation by DPW is subject to execution of an agreement with DPW and [Name] Telephone Company.

- c. The Link Up America discount is applicable to one access line (dial tone line) when applied to the installation or relocation of main service at a customer's principal residence. (C)

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LOCAL EXCHANGE SERVICE (cont.)

B. LINK UP AMERICA SERVICE (cont.)

2. REGULATIONS (cont.)

- d. Link Up America applicants are not exempt from Telephone Company Deposit requirements. (C)
- e. Service will not be established at discounted rates prior to receipt of certification. Service will be established at full service connection charges. If certification is received within 60 days of original application, credit will be applied to provide the Link UP America discount.
- f. The Link Up America discount does not apply to applicants who are full-time students living in university or college controlled housing. (C)

3. RATES

The Link Up America Program provides for a 50% discount on the Service Connection Charge associated with the connection of a new residence exchange access line (dial tone line) as specified in the Telephone Company's tariffs. The total amount of the discount may not exceed \$30.00 and the remaining charges will be billed to the Link Up America customer in monthly installments as specified in the Telephone Company's tariffs.

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