

**ORIGINAL
FILE COPY**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION
TALLAHASSEE, FLORIDA

IN RE:

Proposed tariff filings by SOUTHERN BELL
TELEPHONE AND TELEGRAPH COMPANY clarifying when a
nonpublished number can be disclosed (T-89-506
filed 9/29/89) and introducing Caller ID to
TouchStar Service. (T-89-507 filed 9/29/89)

DOCKET NO. 891194-TL

BEFORE:

Chairman Michael Wilson
Commissioner Gerald L. Gunter
Commissioner John Herndon
Commissioner Thomas M. Beard
Commissioner Jetty Easley

PROCEEDINGS:

Agenda Conference

ITEM NUMBER:

18**

DATE:

Tuesday, January 30, 1990

PLACE:

106 Fletcher Building
Tallahassee, Florida

REPORTED BY:

PATRICIA L. GOMIA, RPR, CSR
Notary Public in and for the
State of Florida at Large

* * *
THIS IS A COMPUTER PRODUCED TRANSCRIPT

GOMIA AND ASSOCIATES
CERTIFIED COURT REPORTERS
216 WEST COLLEGE AVENUE, ROOM 122
TALLAHASSEE, FLORIDA 32301
904-224-6200

RECEIVED
Division of Records & Reporting

FEB 6 1990

Florida Public Service Commission

DOCUMENT NO.

01124-90

1 PARTICIPATING:

2 ANGELA GREEN, Esquire, FPSC Legal Division

3 MARK LONG, FPSC Communications Division

4 JULIA RUSSO, FPSC Communications Division

5 MARSHALL CRISER, Southern Bell Telephone

6 WINSTON PIERCE, Department of General Services

7 BRUCE A. SNYDER, Bureau of Alcohol, Tobacco and
Firearms, U. S. Treasury Department

8 JIM WHITEHEAD, Southern Bell Telephone
9 * * *

- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

P R O C E E D I N G S

1
2 CHAIRMAN WILSON: Item 18.

3 MR. LONG: Commissioners, Item 18 regards Southern
4 Bell's Caller ID tariff scheduled to become effective
5 February 1st. Although the staff realizes that
6 allowing exceptions to the general policy of unblocked
7 Caller ID --

8 CHAIRMAN WILSON: I'm sorry. Go ahead.

9 MR. LONG: -- may result in some future
10 controversy and arbitration by this Commission, we are
11 compelled to recommend that optional blocking be
12 approved to agencies or individuals meeting the
13 outlined criteria in Issue 1, emphasizing that such
14 blocking be a last resort option in the event that
15 other arrangements are not adequate. We further
16 recommend that the Company not implement the service
17 until February 21st, or sooner, if it can notify and
18 accommodate the entities qualifying for blocking.

19 MR. CRISER: Commissioners, I'm Marshall Criser
20 for Southern Bell. What I would like to do first, if
21 you wouldn't mind, is just briefly update you on some
22 of the activities that we have undergone since the time
23 of the agenda when we met last on this issue.

24 Pursuant to the agenda and the vote taken at that
25 agenda, Southern Bell revised its tariff on January

GOMIA AND ASSOCIATES

1 10th to allow for blocking to be available to the
2 agencies, law enforcement agencies and violence
3 intervention agencies that were identified at that
4 agenda. At that time what we filed were two versions
5 of the tariff, because we believe there was one issue
6 still to be debated, that was whether or not there
7 would be a charge associated with that blocking.

8 We filed two versions of that tariff. One with a
9 blocking charge and the other without a charge. And in
10 effect subsequent to the agenda what we were able to
11 determine was that the appropriate charge for
12 implementing blocking was actually the service order
13 charge because this is not different from implementing
14 any other type of a service. In effect to quantify
15 that, that would be 12.50 for a business account. I
16 think I'll get at this in a minute, but I'll just
17 mention at this point that for a residence account that
18 would be \$9.

19 In addition to that we have also, after receiving
20 your order which was released on January 10th, we also
21 included a -- let me step back a minute. The January
22 10th, our earlier January 10th filing also included
23 language which prohibits the resale of numbers
24 displayed via Caller ID in response to specific
25 concerns that were expressed.

GOMIA AND ASSOCIATES

1 After receiving your order which was issued on
2 January 10th, we made further revisions to another part
3 of our tariff, the A.6 Section so that that would
4 correctly reflect the order that was released, in
5 effect the resale prohibition is in two places in the
6 tariff, Commissioner Easley. It's covered under our
7 TouchStar offering. It's also covered under the
8 nonpublished, nonlist and no sale solicitation portions
9 of the tariff. So we have attempted to ensure that
10 this is adequately and substantially represented in our
11 tariffs.

12 In addition to that we have sent letters to each
13 of the violence intervention agency representatives,
14 which we met with during the process in which this
15 tariff was in consideration, advising them of the
16 Commission's vote that blocking would be available to
17 their agency as an option, and that we would be
18 available to discuss with them any other types of fixes
19 which might be available to resolve their particular
20 needs and concerns.

21 Our security department also sent a letter to each
22 of the police departments, and they have a contact in
23 those departments notifying them of the same
24 conditions. And these letters have been sent out.
25 They were sent out, the last letters were sent out last

GOMIA AND ASSOCIATES

01174-90

1 weak.

2 We have also coordinated with HRS to send a
3 letter, and we got in to an interesting circumstance
4 with this in that in contacting HRS because the
5 identity of some of the violence intervention agencies
6 is confidential, they are not at leave to release the
7 address or phone number of those agencies. So what we
8 have done is coordinated with them by providing them a
9 blank letter in envelopes, and they have done the
10 mailing for us, and we have attempted to coordinate
11 with them in that way.

12 I guess the point that I would like to make is
13 that we have attempted in all means possible to satisfy
14 what we felt was the Commission's intent in the earlier
15 vote. I would add that if there is a feeling that
16 there should be a safety net of sorts to allow some
17 period of time for these agencies to come back to the
18 Company and request blocking and have that accommodated
19 prior to the effective date, it would be very difficult
20 to argue with that. I would like to ask that we have
21 some firm date set, and I think staff has indicated
22 that.

23 Administratively it becomes rather difficult, and
24 in addition to the fact we don't know who all of these
25 agencies are, although again I would notice that we

1 have attempted to contact them, and this certainly has
2 received rather widespread media coverage as well. I
3 believe that they are notified by now, and we would be
4 willing to working with that.

5 A final point I guess just to make at this point
6 would be that we believe that the appropriate contact
7 point between the Company and the individuals having
8 this need is actually an agency, and the reason I say
9 that is we feel that there should be some means of
10 validating that it is a bona fide request with a
11 bona fide need, and to allow anyone who can pick up a
12 phone to call us and certify what they are, or tell us
13 what they are, it makes it very difficult to determine
14 who is using appropriately or abusing this type of
15 permission. So we would like to ask that the
16 Commission continue to direct the focus towards
17 agencies themselves.

18 Again as we have already attempted to do with HRS,
19 we are willing to work with these agencies in
20 accommodating their needs. Those are my comments at
21 this point.

22 CHAIRMAN WILSON: I need to -- let me do this real
23 quick before you ask that question. I note that I
24 received a letter from Mr. Greg Coler, the Secretary of
25 HRS, dated January 29th, 1990, indicating that he

GOMIA AND ASSOCIATES

1 agrees about domestic violence centers, but he has some
2 concerns that there may be others who need to have
3 blocking. And I think all the Commissioners got a
4 copy.

5 COMMISSIONER BEARD: Marshall what was HRS'
6 response when you asked them to be the agency to handle
7 this decision-making process?

8 MR. CRISER: We used the local contact in the
9 Tallahassee office, who is someone different, and they
10 had no problem of being a contact in this instance.

11 COMMISSIONER BEARD: They better go back and talk
12 to the general counsel then at HRS, because I can tell
13 you what the answer was.

14 MR. CRISER: As I understand it they have taken
15 those letters and distributed them. I think the point
16 that I might step back to, and I mentioned it earlier
17 with regard to the service order and the fact that
18 there are businesses as well as residences where those
19 phones may be identified. I don't believe the
20 Commission or the Company has ever attempted to
21 identify this as being strictly business or residence.
22 We focused more on an agency and a function, that being
23 violence intervention. And to my knowledge it's
24 entirely possible that a home would be used as this
25 type of shelter. So we have not, I don't want to

1 create the impression that we are attempting to
2 discriminate on that basis. We are looking more at the
3 function and the need and a desire to work with some
4 entity that can actually certify or help us to certify
5 it and not looking at a particular dwelling and how
6 that may -- or building.

7 COMMISSIONER EASLEY: You mentioned that service
8 charge of 12.50 and 7.50 I think for residences.

9 MR. CRISER: \$9.

10 COMMISSIONER EASLEY: \$9. Does that service
11 charge apply to those people who are listed in the no
12 resale of the numbers? Are they having to pay for
13 that, the ones who have the unlisted, unpublished
14 numbers, for instance?

15 MR. CRISER: That would only be --

16 CHAIRMAN WILSON: I think, didn't you say that you
17 have a blanket prohibition against --

18 MR. CRISER: What we have done is say a blanket
19 prohibition of resale of all numbers displayed --

20 COMMISSIONER EASLEY: I just wanted to make sure
21 they weren't, because they are paying for having the
22 not listing or the nonpublished, and I frankly want to
23 make sure they weren't paying twice to make sure that
24 those numbers weren't being resold.

25 MR. CRISER: The charge is specifically directed

1 at the --

2 COMMISSIONER EASLEY: At the blocking.

3 MR. CRISER: -- no block, excuse me, the blocking
4 option that is available to some agencies, and I
5 believe there was a question of whether or not there
6 should be a charge or not.

7 COMMISSIONER EASLEY: What are you going to do
8 about agencies, governmental agencies? Are you going
9 to charge them, or is that different from a business?

10 MR. CRISER: Commissioner, in effect I think what
11 we are proposing is -- oh, in terms of how an agency
12 would be classified?

13 COMMISSIONER EASLEY: Yes. Do they get the 12.50
14 charge for blocking, and if it's HRS and we are talking
15 about protective service investigators' homes, does the
16 agency pay 12.50 for each one of those? What happens?

17 MR. CRISER: I guess my feeling was, or what I was
18 trying to get at was in fact the agency is going to be
19 making the request. What you may have is the account
20 that actually is in that home or that government
21 building or whatever it may be, may be classified as
22 one or the other.

23 I think the only other point though was, is that I
24 believe was the issue that we were to bring back before
25 the Commission in terms of whether there should be a

1 charge or not. We have in essence presented you with a
2 tariff with a charge, and one without.

3 COMMISSIONER EASLEY: Well, in the tariff with the
4 charge is it per line that is blocked regardless of who
5 the entity is?

6 MR. CRISER: I believe that is correct.

7 COMMISSIONER HERNDON: Let me ask that question
8 more precisely.

9 CHAIRMAN WILSON: On a PBX, would you have a trunk
10 rate, or a block rate or would it just be an
11 individual --

12 MR. CRISER: To be honest, I don't know the answer
13 to that. I guess to clarify what I meant was it would
14 be per account that the rate, that the service order
15 charge is a one time charge per account.

16 COMMISSIONER HERNDON: Let me ask that question
17 just to make sure I am hearing you correctly. If you
18 got an agency that otherwise meets the qualifications,
19 the tests for blocking, that agency doesn't make phone
20 calls in its own right, it's the staff that worked
21 there. The staff that worked there may be making calls
22 from their home. So do I understand your comments to
23 be that not only will you block that agency's phone in
24 that place of business where the agency conducts its
25 business, but also make available to the employees who

1 might be making calls from their homes that service?

2 MR. CRISER: Commissioner Herndon, our direction
3 to this point has been directed towards that agency and
4 its place of performing its function.

5 COMMISSIONER HERNDON: Okay, that's what I thought
6 I heard you say. So an individual employee who might
7 be at home at night and make calls, a protective
8 services worker would not have that option, if I
9 understand you correctly, and I'm not -- I think that
10 is, I think we need to think that through, but that's
11 what I want to simply get some clarification on.

12 If in fact we made that offer to the individual
13 employee, then the by-account treatment would be
14 appropriate. But otherwise all that is available is
15 the business account.

16 MR. CRISER: One thing that I would like to
17 mention as well and possibly as a means of trying to
18 deal with these requests, another part of the process
19 that we have implemented is all requests for blocking
20 are going to be directed, we anticipate that they will
21 either be received in the business office or by our
22 security personnel, depending on the type of agency
23 making the contact.

24 We are going to direct all of those requests to
25 our special assistance bureau, which is served by an

1 800 number; that 800 number has been included in our
2 correspondence to those agencies. In effect what we
3 are hoping -- this is a group that is accustomed to
4 dealing with specific customer concerns and needs, and
5 we'll be dealing one-on-one with those individuals.
6 We also expect that we would be required to have some
7 sort of monitoring in terms of what kind of requests we
8 receive and how those are accommodated.

9 And I guess I would fall back as well to the fact
10 that there are several other alternatives to blocking
11 which we have proposed and discussed with the people
12 that we've had contact with, which we would also
13 attempt, I think again in line with the Commission's
14 order, to attempt to explain to them and describe other
15 mechanisms that are available.

16 COMMISSIONER HERNDON: Mr. Chairman, let me ask
17 another question, and I might change horses for a
18 minute. And for those customers who currently purchase
19 unlisted or unpublished designation or service from the
20 phone company, I understand that they would not, as a
21 general rule that customer may not fit the criteria
22 that we are outlining for blocking. So for a customer
23 who purchases that service in the white pages, so to
24 speak, his phone number will show up on any device that
25 the called party has attached to his phone, is that

1 correct?

2 MR. CRISER: That number would be displayed, yes.

3 COMMISSIONER HERNDON: It will be displayed. One
4 means of treatment to that is to prohibit that called
5 party from reselling it. So at least it's not
6 theoretically made broadly available. But the customer
7 who purchased the unlisted or unpublished designation
8 still has his number published in an electronic sense,
9 not in a written sense.

10 That strikes me as being a problem of some degree,
11 and I am not sure, I mean it may very well be that the
12 benefits of Caller ID outweigh the disadvantages, but
13 I'm wondering if anybody has given any thought to how,
14 if there is any way of dealing with that problem,
15 because if I buy a number that says it's unpublished
16 but it shows up every time I make a phone call, what is
17 the point of having an unpublished number? Has anybody
18 thought that through? Is there a solution to that
19 problem?

20 MR. LONG: I don't know if there's a solution to
21 the problem. The nonpublished number tariff changed
22 the last time we came to agenda with this tariff. We
23 said before it was not in the Directory. It was not in
24 the company's records available to the general public.
25 It was changed to say that now it's not in the

1 Directory, and it's not given out through Directory
2 Assistance. So "to the general public" was deleted.
3 And that was one of the reasons why we asked them to
4 notice all of the nonpublished customers that their
5 service was in fact changing in some fashion.

6 Southern Bell has assured us that any nonpublished
7 customer who feels that his service is no longer useful
8 to him, can stop paying for it. Even though he is not
9 in the Directory, he will not be charged for the
10 duration of that Directory, if he chooses, if he
11 believes that his service is no longer of value to him.

12 CHAIRMAN WILSON: Well, in fact, not just anyone
13 could find out that person's number. It's only persons
14 that, that they call who also have this device who can
15 know what that number is.

16 MR. LONG: Correct.

17 CHAIRMAN WILSON: And there are a couple of ways
18 to look at it. I think one is there is a value to not
19 having your number published in the written Directory
20 or available through Directory Assistance so that
21 anyone in the world can find your number. And I can
22 see why people want that service and they don't want
23 the number to be available.

24 You can also look at it in another dimension, who
25 has the superior right, the person calling or the

1 person being called? Do I as a person who has paid for
2 my telephone, who sits in my home, the damn thing rings
3 all hours of the day or night, do I have a right to
4 know who is calling me or does the person who calls me
5 have the right to anonymity?

6 COMMISSIONER EASLEY: That is an interesting
7 question, Mr. Chairman, because you take that same who
8 has the right, the calling party or the party being
9 called, and I can turn that completely around and tell
10 you that I'm paying for that phone and I should be able
11 to make any call I please without that number going out
12 if I don't want it to. So I can argue that one either
13 way.

14 CHAIRMAN WILSON: I don't think it's a mirror
15 image at all. I think the privacy of the person who
16 has paid for a telephone in their own home to know who
17 is on that phone is the same as prohibiting somebody
18 from putting one of those little fisheye windows in
19 your front door so they can see who is knocking on the
20 door. You have the option.

21 COMMISSIONER EASLEY: I can argue that one with
22 you.

23 CHAIRMAN WILSON: You have the option of either
24 not answering that door or not opening that door. You
25 look out there and see somebody you don't want to see.

1 It's the bill collector.

2 COMMISSIONER EASLEY: A different physical
3 presence.

4 COMMISSIONER GUNTER: -- you don't even have to
5 have one.

6 CHAIRMAN WILSON: You can accomplish the same
7 thing I suppose with a tape recorder that answers the
8 phone calls. You don't ever answer your own phones,
9 just let the answering machine, if people won't leave
10 their name and number, then you never know who it was,
11 and it doesn't make any difference. And if they leave
12 their name and number, and you don't want to call them
13 back, you can reserve your privacy by not returning
14 that phone call.

15 COMMISSIONER BEARD: If I might, I won't waste a
16 lot of time. I think the distinction between the two
17 positions is fundamentally addressed in the
18 Constitution, so I don't think that needs to be beat
19 to death.

20 Marshall, have you all taken a look at the
21 position that the IILC Nontechnical Working Committee
22 is taking on this? Are you familiar with it?

23 MR. CRISER: I have not, no.

24 COMMISSIONER BEARD: Okay. Let me suggest to you
25 it's far more narrow than this. It excludes law

1 enforcement, if my memory serves me correct, and it's a
2 very narrow definition of agencies and what is allowed
3 there.

4 And my concern is the letter from Secretary
5 Coler, and I appreciate his information. It brings out
6 two points that bother me. One, he has not even
7 identified all the potential agencies; and secondly, in
8 there is contained a statement, and I don't want to be
9 misleading, because it's only part of the picture, that
10 some of these people need it, if not for the only
11 reason, one of the reasons is that when one of these
12 investigators call someone might recognize that phone
13 number and not answer the phone. And let me suggest to
14 you that, if we use that, is a totally inappropriate
15 standard.

16 I know that he -- I'm not criticizing him at all,
17 because he is addressing potential concerns that they
18 would have, but as a regulator I think that is one that
19 should very distinctly be eliminated from that.

20 CHAIRMAN WILSON: There are some other parties to
21 be heard from here.

22 MR. SNYDER: I'm Special Agent Bruce A. Snyder
23 from the Bureau of Alcohol, Tobacco and Firearms, the
24 United States Treasury Department. I am here
25 representing our agency specifically. But more

GOMIA AND ASSOCIATES

1 specifically I have had a lot of conversation with
2 local law enforcement and state and federal law
3 enforcement in South Florida out of the Miami office.

4 We understand what was going -- in fact we have
5 not gotten the letters yet. So we are definitely
6 asking for a delay. I was talking with their security
7 department late Friday afternoon, that is why I'm here
8 now without even addressing the issue before this.

9 We have some concerns in more than one area.
10 Commissioner Herndon addressed one, was will this apply
11 to other areas other than the office. I mean everybody
12 I think in this room knows undercover operations
13 normally are not conducted from your office. So we'll
14 either have an apartment, or a building or some other
15 location away from our office.

16 Also the other concern is our special agents
17 and/or police officers, like you addressed the issue,
18 from your home. Often we are dealing late at night,
19 two, three, four o'clock in the morning, and it's
20 difficult to run to a pay phone. Now, I understand
21 from --

22 Also our other major concern is in the area of the
23 blocking. We understand we will be furnished the
24 blocking. And those two points about the blocking were
25 the problem areas for our agents at night, late night,

GOMIA AND ASSOCIATES

1 early morning, whatever. Also away from the office
2 location.

3 But the other thing about the blocking, we would
4 like to have a definition. Is the blocking going to
5 indicate something different other than the cellular
6 phone and/or the pay phone? I mean we don't want to
7 waive the red flag that this is law enforcement.

8 CHAIRMAN WILSON: I think that is a legitimate
9 problem, and what I think you are going to find is that
10 if, you know, in five years, the service becomes very
11 prevalent, someone has one of these devices on the line,
12 and the phone rings, and they look down there and there
13 is nothing there, they will say, "Hmm, that's either
14 the FBI, FDLE, Alcohol, Tobacco and Firearms, child
15 abuse investigator, a child support fraud investigator
16 or the IRS." I mean they are going to know it's going
17 to be one of this list of people.

18 MR. SNYDER: Exactly, and if they haven't beaten
19 up their wife or their child, they know it's going to
20 be law enforcement. And this is a major concern that
21 we have.

22 And like you said, we are looking at it even as
23 today though, or within the next -- we didn't realize
24 this was going to be implemented so quickly. Will
25 this -- initially, right now, until we get to that

GOMIA AND ASSOCIATES

1 stage where you say five years from now where we'll be
2 the only ones with that, but initially what is it going
3 to indicate? They have not told us anything. Is it
4 going to indicate it's a cellular or is it a pay phone,
5 hopefully? Until we get to that other point, and then
6 we'll have to address that issue if that continues
7 forward, but --

8 CHAIRMAN WILSON: Is there any exception for
9 cellular or pay phones here or would those numbers show
10 up?

11 MR. CRISER: Not for a pay phone.

12 CHAIRMAN WILSON: It will not show a pay phone
13 number.

14 MR. CRISER: It will show a pay phone number.
15 There is no exception.

16 CHAIRMAN WILSON: There is no exception for pay
17 phone. What about cellular?

18 MR. WHITEHEAD: It does not display a cellular
19 number because --

20 CHAIRMAN WILSON: Identify yourself, please.

21 MR. WHITEHEAD: I'm Jim Whitehead with Southern
22 Bell. It will not, it will display a pay phone number.
23 It will not display a cellular number because the
24 common channel signaling networks are not connected
25 between -- in fact cellular has yet to have plans, any

1 plans to deploy common channel signaling, and
2 therefore, there is no number passed between the
3 cellular network and our network, so the number will
4 not be displayed.

5 COMMISSIONER EASLEY: So nothing shows?

6 MR. WHITEHEAD. Nothing shows with cellular.

7 COMMISSIONER EASLEY: As if it were blocked.

8 MR. WHITEHEAD: It just says incoming call, or it
9 will say out of area call.

10 COMMISSIONER EASLEY: Is that what it would say on
11 a blocked call?

12 MR. WHITEHEAD: On a blocked call it will show a
13 "P" for private.

14 MR. SNYDER: That's our problem.

15 COMMISSIONER EASLEY: Why wouldn't you do them all
16 the same, or have a dummy number?

17 MR. WHITEHEAD: Well, that's the way the standards
18 were established for common channel signaling and for
19 calling party number delivery. It was a established
20 that a privacy indicator would be shown.

21 COMMISSIONER EASLEY: Well, we may need to re-
22 think that one. That brings up a good point.

23 CHAIRMAN WILSON: It will probably take three
24 years to re-program.

25 MR. WHITEHEAD: It would be a massive undertaking

1 to change.

2 COMMISSIONER EASLEY: We'll get there before we
3 get the 900.

4 MR. SNYDER: Then they have addressed the exact
5 issue we are addressing. It will indicate right there
6 that it is a blocked call, and now it is law
7 enforcement and/or, that is a major problem.

8 CHAIRMAN WILSON: Well, the argument you make
9 though is to not ever have this service at all. Unless
10 you extend the blocking to everyone who wants to pay
11 for it, in which case you ruin the value of the service
12 to someone who decides, "I don't care who it is that
13 calls me, I want to know who it is. I want to know
14 what the number is before I pick you my phone." I have
15 a right to know that. I have a right to know who is
16 knocking on my door. If a letter comes in that I don't
17 want to read, I have a right to throw it in the trash.
18 But I need some forewarning about what that is, and
19 that is my right to know.

20 MR. SNYDER: Well, as a law enforcement issue
21 though, Commissioner, I have to say that we are putting
22 peoples' lives in jeopardy in this type of operation.
23 If that is going to indicate that initially, I don't
24 know how -- we are just -- it's going to be a very
25 difficult issue to address and to get around working an

GOMIA AND ASSOCIATES

1 undercover operation.

2 MR. CRISER: Commissioners, that's the very point
3 though that we have dealt with in the law enforcement
4 agencies that we have talked to, and in our discussions
5 here, has been that there are other alternatives
6 available, and it's not just going out and using a pay
7 phone on the corner. So that we do believe that we
8 have some viable alternatives.

9 CHAIRMAN WILSON: Your first alternative is to
10 have a cellular telephone.

11 COMMISSIONER EASLEY: Which is not private.

12 CHAIRMAN WILSON: Because then all it shows is an
13 incoming number. Under, I assume under the Supreme
14 Court's decision --

15 COMMISSIONER EASLEY: That's right.

16 MR. SNYDER: And they are very expensive also to
17 have every agent have one.

18 MR. WHITEHEAD: There are other alternatives, such
19 as Ringmaster Service and so on, so the number
20 delivered is not, cannot be associated with a law
21 enforcement agency, the other alternatives. We would
22 work with any customer that has anonymity concerns,
23 work with them.

24 CHAIRMAN WILSON: When you say Ringmaster would
25 solve that, if everybody knows that the sheriff's

1 office or Alcohol, Tobacco and Firearms is 111-5555 on
2 that same line with Ringmaster they could have
3 another number, 234-5678, which is not associated with
4 that, and by the distinctive ring, or when you are
5 calling out you can call out over either one of those
6 channels.

7 MR. WHITEHEAD: When you are calling out, it would
8 send the primary number, which is the number that you,
9 in this case you want to preserve your anonymity, you
10 would not use. It would not be listed. It would just
11 be a number sent. And in the secondary, and in the,
12 you would use your, you would publish your secondary
13 number, and those are the calls that you would receive,
14 that you would pick you on.

15 In fact there are devices that the phone would
16 only ring with the secondary number.

17 CHAIRMAN WILSON: It possible with this common
18 channel signaling system to buy a dummy number? I mean
19 could law enforcement buy dummy numbers?

20 MR. WHITEHEAD: With Ringmaster Service you are
21 essentially putting several numbers on the same line,
22 so I think you would accomplish the same effect.

23 COMMISSIONER EASLEY: Until that number is known,
24 and then it has the same value as the "P" because it's
25 going to be on the street inside of a day and a half.

GOMIA AND ASSOCIATES

01174-90

1 Everybody will have that number. That is the only, and
2 I think he is raising a very valid concern that I'm not
3 sure we have looked in to enough, which is one of my
4 concerns.

5 CHAIRMAN WILSON: Well, I don't understand why it
6 would be on the street. If you are conducting an
7 undercover operation where you dealing with somebody,
8 and you leave a phone number, or you call them on a
9 phone number, and it shows a number that is not
10 associated with anything in law enforcement, I mean
11 ordinarily if you gave a number to anybody anyway, once
12 you are through with it, if you have already completed
13 that operation you would either change the number or
14 have to take some precaution, because once that number
15 is out on the street, everybody knows it anyway.

16 You have that problem today, don't you? Of it is
17 a problem, you would have in the future.

18 COMMISSIONER EASLEY: Then I misunderstand what he
19 is talking about with Ringmaster; that if you are going
20 to put a group of agencies in to Ringmaster and use the
21 same number as the primary number or the one that goes
22 out on the Caller ID, I got the impression that that
23 never changed, that it's the same number for that group
24 of entities, is that correct?

25 MR. WHITEHEAD: No, each line has -- you can have,

GOMIA AND ASSOCIATES

1 with Ringmaster Service you can have up to three
2 numbers for each line.

3 COMMISSIONER EASLEY: But the one that goes out on
4 the Caller ID box would be the same Ringmaster number
5 for all of those agencies?

6 MR. WHITEHEAD: No, each line would have its own
7 number.

8 MR. LONG: No, each agency would have a different
9 number. A common practice for law enforcement
10 agencies, if I'm correct, now is if you have a group of
11 numbers, a rotary like we have here, where every one
12 rings after the other and they answer DEA, you buy a
13 separate line that is not on the rotary, and you give
14 that number out to the drug dealers, and they call you
15 back and you say, "Hello," and you pretend you are
16 someone else; that number is usually nonpublished.
17 It's a private sort of a number, and you don't put that
18 with the receptionist that's in the agent's office or
19 somewhere.

20 COMMISSIONER EASLEY: That I understood. The one
21 that appears on the Caller ID box is not the same
22 number for Tobacco --

23 MR. LONG: No.

24 MR. WHITEHEAD: No.

25 MR. LONG: They are all different.

GOMIA AND ASSOCIATES

1 COMMISSIONER EASLEY: Okay, that does help some.

2 CHAIRMAN WILSON: You can control that.

3 COMMISSIONER EASLEY: Okay. That helps.

4 CHAIRMAN WILSON: Nobody here is interested in
5 interfering with law enforcement's efforts. I
6 certainly am not. As a matter of fact, anything we can
7 do to help it, we would want to do. But I don't want
8 to destroy the value of this service to millions of
9 people who may want to take advantage of it, if there
10 are alternatives available that would accomplish the
11 same purpose.

12 COMMISSIONER GUNTER: Because on the flipside, if
13 we can get this service big enough and satisfy your
14 problems, and I'm very sensitive to that, it would be a
15 great advantage for the guy sitting there in the
16 office, and say, uh-huh, that's where he is calling
17 from.

18 MR. SNYDER: Now, we need quarters for tracing
19 traps, so that would make it easier, yes.

20 COMMISSIONER GUNTER: That's right, and you would
21 have a trap on every machine then, and you wouldn't
22 have to go to courts and one thing and another.

23 MR. SNYDER: That's correct.

24 COMMISSIONER HERNDON: This service has been made
25 available in other jurisdictions. How have they dealt

1 with some of these problems? The confidential or
2 unpublished numbers, how have they dealt with the law
3 enforcement and the violence agencies? And
4 Pennsylvania I know has dealt with it, and a couple of
5 other New England States have dealt with it. How have
6 they addressed these things?

7 MR. LONG: I'm not completely familiar with the
8 other jurisdictions. From what I understand the
9 Pennsylvania case is still being considered. The New
10 Jersey case, I have not heard of it being taken before
11 any, or going to hearing or anything.

12 COMMISSIONER HERNDON: Yeah, I mean I am not
13 concerned about that --

14 CHAIRMAN WILSON: Are you familiar with the
15 conditions that they put on?

16 MR. LONG: I was not aware of any blocking being
17 available in New Jersey at all, other than law
18 enforcement agencies, from what I understand I'm not
19 even sure of that. Pennsylvania --

20 CHAIRMAN WILSON: Would that be consistent with
21 the standards that Commissioner Beard had referred to
22 was the IILC?

23 COMMISSIONER HERNDON: Yeah.

24 MR. LONG: The IILC, their standards are very,
25 very close to the standards that we have recommended

1 here, and that the domestic violence intervention
2 agencies --

3 COMMISSIONER BEARD: Whoa, whoa. No, no, they
4 don't have any standards for law enforcement.

5 MR. LONG: I don't know what their final opinion
6 on it was. The final draft that we received allowed,
7 recommended that blocking be available.

8 COMMISSIONER BEARD: That came out of the Miami
9 meeting?

10 MR. LONG: Yes -- well, the final draft to the
11 Miami meeting is the last --

12 COMMISSIONER BEARD: To the Miami meeting, but out
13 of the Miami meeting I don't think it came out that
14 way.

15 MR. LONG: And I have not received any --

16 COMMISSIONER BEARD: My information is probably
17 outdated, it is as of last Thursday.

18 MR. LONG: So I'm not sure. I haven't gotten that
19 draft, anything that came out of that Miami meeting.

20 COMMISSIONER HERNDON: Well, I'm confused and,
21 Commissioner, maybe you can help me out.

22 COMMISSIONER BEARD: Let the Southern Bell Rep.
23 tell you, he probably can tell you.

24 COMMISSIONER HERNDON: Whomever, I mean I don't
25 care.

GOMIA AND ASSOCIATES

01124-90

1 CHAIRMAN WILSON: Are you all familiar with what
2 the IILC standard is as a result of the meeting they
3 had in Miami last week? Did it change from what it was
4 before, or do you know?

5 MR. CRISER: Commissioner, I don't know the answer
6 to that. The one example that I could, and Jim may be
7 able to respond, I guess the one example I could cite
8 of a State that has implemented Caller ID would be
9 Tennessee in the Southeast, and they did implement it
10 without blocking.

11 CHAIRMAN WILSON: For anybody?

12 MR. CRISER: For any entity.

13 MR. WHITEHEAD: That is true of New Jersey,
14 Maryland, Virginia, West Virginia, those States.

15 COMMISSIONER EASLEY: How long ago?

16 MR. WHITEHEAD: Well, New Jersey has been in
17 effect about two years now. I think there, they had a
18 trial situation initially with no blocking, and then
19 they went and had an approved tariff. So they have had
20 Caller ID in New Jersey for about two years. The other
21 States just, it was last summer, last fall.

22 COMMISSIONER HERNDON: In New Jersey's case, for
23 example, what did they do for the law enforcement
24 agent who is undercover or working out of his home, I
25 mean what alternative did they offer? Was Ringmaster

1 the alternative, or find a pay phone, or a cellular
2 phone? I mean, because those are all expensive options
3 to one degree or another.

4 MR. WHITEHEAD: In New Jersey they offered them
5 all, they reviewed with the law enforcement agencies
6 the different alternatives they had, to include
7 Ringmaster, or a pay phone, or cellular, or calling
8 through the operator, or call transfer the call. Those
9 are all options to prevent your number from being
10 delivered with a number that is associated with the
11 police department or the law enforcement agency from
12 being delivered.

13 And they've had some very positive situations with
14 Caller Id as well. The reduction in bomb threats and
15 false fire alarms and that sort of thing.

16 MS. RUSSO: Commissioners, we have some concerns
17 here. There are a couple of things that we were not
18 aware of. We were not aware of the fact that the "P"
19 would show up and not some kind of a blocking, or like
20 a scrambled number. We were also not aware of that
21 final decision coming out of the Miami meeting. If you
22 would like we can defer this and come back with some
23 better answers on those issues for you.

24 COMMISSIONER BEARD: Let me do one small thing,
25 because the request that I had the last time we met

1 was, and it's no secret that I oppose blocking period,
2 because I think that there probably are some
3 reasonable, and if I'm wrong that there aren't
4 reasonable and affordable alternatives to address very
5 real needs of law enforcement and the social agencies,
6 then I'll eat my words and walk away from it, but I
7 think there are affordable alternatives. Okay. And I
8 still haven't gotten a response to that yet.

9 MR. LONG: Commissioner, our concern was in most
10 instances there are affordable alternatives,
11 particularly for individuals of those agencies who can
12 go home and get Ringmaster. Put Ringmaster on a
13 telephone in a crisis intervention center, or hang a
14 pay phone on the wall. And somebody answers the pay
15 phone, or somebody answers the phone, and somebody asks
16 them, "Where are you?" And they say, you know, they
17 are wandering through the hallway or something. If you
18 could find a way to put a telephone with Ringmaster and
19 lock it in a room and only let those individuals that
20 need to call home in to that room to use that phone,
21 then it's possible for even that instance you could get
22 around the Caller ID.

23 We are not sure that that is a reasonable thing to
24 ask, and we are not sure that that is not the only way
25 that you can get around that, some incidental accident

1 happening and that number being available, or someone
2 calling up and getting it. That's why we recommended
3 the last resort option, that if no other means, the way
4 the building is situated or the way the telephone lines
5 are, or whatever, precludes one of those things from
6 becoming available, then they ought to be able to be
7 blocked, and we are by no means saying that all crisis
8 intervention centers and all law enforcement agencies
9 should have blocking. We think they should just have
10 that option, if nothing else is available.

11 COMMISSIONER BEARD: And who will make that
12 decision?

13 MR. LONG: Ultimately perhaps the Commission will.

14 COMMISSIONER BEARD: HRS does not want to make
15 that decision, I can tell you. I talked to their
16 general counsel. They don't want to make that
17 decision.

18 COMMISSIONER HERNDON: Let me ask a question along
19 the same lines Commissioner Beard is pursuing, because
20 I tend to agree with him. I think there are probably
21 some alternatives, some of which cost more than others
22 to implement that will at least mitigate some of the
23 problems that the law enforcement and so on and so
24 forth are going to have.

25 The question I have, and I think Mr. Criser has

1 already responded to this on behalf of Southern Bell,
2 is that we haven't decided whether the individual
3 employee in his non-place of business location is going
4 to have the opportunity to get some of these services,
5 and you know, if I'm a protective services worker, or
6 I'm a beverage worker, investigator, I don't want to
7 pay out of my own pocket for Ringmaster in my home in
8 order to do business for my employer. That is not fair
9 or right. And I'm not sure that we should be asking
10 them to do that. And if the employer is going to pay
11 for it, then will Southern Bell grant that employee the
12 kinds of options that other customers as agencies have?

13 And I am just still struggling, because I'm not
14 sure about the answer to that. I mean we have said, I
15 think we have heard that blocking will not be available
16 to the individual employee. So the individual employee
17 has to go and buy Ringmaster, or go to the pay phone,
18 or buy a cellular phone, which is a great deal more
19 expensive. I am just --

20 MS. GREEN: Commissioners, if I can just add this
21 comment, I think you need to be clear on what exactly
22 it is you want to protect here. If you are interested
23 in protecting the ability of an individual to make
24 anonymous calls, then you need to be clear about that
25 so that IRS agents can work at home, so that fraud

1 investigators can work at home, then you are going to
2 totally overcome any benefits to this service. If you
3 are trying to protect people whose lives might be
4 threatened, that's a wholly different type of scenario.

5 And I think the staff's recommendation has
6 attempted to deal with those as two separate things.

7 COMMISSIONER HERNDON: Angela, I appreciate what
8 you are saying. But it's not an either/or proposition
9 as far as I am concerned. I fully want to protect the
10 rights of the people who are being called. I think
11 that is the fundamental interest that we ought to have.
12 And this service is going to help all of us. I don't
13 like getting the phone calls at 9:30 at night either.
14 If I knew who was calling me at 9:30 at night to sell
15 me some plot somewhere in some graveyard or something,
16 I would fix it, too.

17 But it seems to me there are some safeguards that
18 we can take to minimize some of the problems that seem
19 to be falling out, because we haven't thought this
20 thing through all the way yet, and that's all I'm
21 trying to do at this juncture is to make sure that if
22 we got some safeguards we take advantage of them now
23 and not wait until we have compromised three FDLE
24 agents, or some protective service worker gets shot
25 because we didn't think about the thing ahead of time.

GOMIA AND ASSOCIATES

1 It's not protect one or protect the other. It's not
2 that clear.

3 MS. GREEN: I'm sorry if that's what you took from
4 that. I didn't mean to imply that. I meant to just
5 help clarify which thing you are trying to look at.

6 COMMISSIONER EASLEY: In clarifying that, let me
7 add a mundane concern to it that I don't think we have
8 thought through either, and particularly if we have two
9 tariffs filed in anticipation of a decision. And that
10 is on this service charge. If indeed we are going to
11 attempt to protect, and I think we should, protect law
12 enforcement, HRS workers, those individuals who are
13 calling on their own outside of the agency premises,
14 and there is a charge outside of the agency premises,
15 or if there is a by-line charge even on the agency
16 premises, I'm going to want to know at some point
17 before I make a decision on whether or not this charge
18 should be allowed as to what the cost is going to be to
19 a government entity, and what we are going to be doing
20 potentially to the tax basis of a city, or a county or
21 an agency that they have no control over, and whether
22 or not we are opening the door to a potential problem
23 along that line.

24 MR. LONG: Commissioner, when we originally
25 drafted this recommendation, we recommended that a

1 charge be assessed to private businesses or anyone for
2 profit that may fall under these criteria, and no
3 charge be assessed to those who are publicly funded.

4 COMMISSIONER EASLEY: Well, that's why I asked the
5 question earlier about was HRS or any other agency
6 identified as a business in that tariff, and I thought
7 the answer was yes.

8 MR. LONG: What we had, what we discerned from the
9 charge and the cost associated with it was that it was
10 so minimal that the cost to administrate who should be
11 charged and who should not would probably exceed any
12 revenue you would get from the nine or \$12 to get it.
13 So we recommended that it be blocking, if you meet all
14 the criteria, be available at no charge; that is what
15 we have recommended in Issue 1, so that no one is
16 charged for this blocking.

17 COMMISSIONER EASLEY: Does your tariff work that
18 way, Marshall?

19 MR. CRISER: That is the way our tariff was
20 worded.

21 MR. LONG: And they submitted two tariffs, one
22 that follows that --

23 COMMISSIONER EASLEY: That would not be true for
24 the individual employee necessarily unless we spelled
25 it out?

1 MR. LONG: in the recommendation it says the
2 company parenthesis or individual end parenthesis.

3 COMMISSIONER BEARD: Are there a lot of for-profit
4 law enforcement agencies out there? Who would pay this
5 service charge?

6 CHAIRMAN WILSON: It depends on how many drug
7 busts they get, I imagine.

8 MR. LONG: That is one of the reasons why we, the
9 two reasons, one, we couldn't think tangibly of one for
10 profit that may do it, but there may be one somewhere
11 to charge --

12 COMMISSIONER HERNDON: There are social service
13 agencies out there that are profit-making or that are
14 not public funded, which is another distinction that
15 you made that may not wash in the final analysis.
16 There are a lot of privately funded social service
17 agencies out there that are in the adoption businesses,
18 that are in foster care businesses, that are unwed
19 mothers, that are AIDS foundations that don't receive
20 public funds that have some privacy concerns that we
21 need to be sensitive to.

22 MR. LONG: Correct. Our original recommendation
23 in December I think said private, nonprofit, tax
24 exempt, domestic violence intervention agencies, which
25 hopefully would have included them. When it all washed

GOMIA AND ASSOCIATES

01174-90

1 out the charge was so minimal and the costs were so
2 minimal that it was, seemed to be administratively the
3 most efficient thing to do just to offer it free.

4 COMMISSIONER HERNDON: Mr. Chairman.

5 CHAIRMAN WILSON: Hold on just a second. Winston,
6 do you need to throw in a few cents worth here?

7 MR. PIERCE: The only concern I had was that the --

8 CHAIRMAN WILSON: Identify yourself for the record
9 please.

10 MR. PIERCE: Okay. I'm Winston Pierce with the
11 Department of General Services. The concern that I had
12 was that whatever is done in this in addition to the
13 other concerns that you have already heard is that this
14 in no way would affect the identification of the number
15 for 911; that the ANI capability connected with 911
16 Service not be affected by any ability to block as a
17 result of a customer, because even though the need is
18 there for some of these, as you are seeing with it
19 expanding to the individuals, the individual that is
20 the provider or the law enforcement agent's wife that
21 needs to call 911 while he is away, it needs to be
22 relayed.

23 And that is all I have, is just to make sure that
24 is considered.

25 COMMISSIONER BEARD: Can you in fact --

1 MR. CRISER: Commissioner, I have that down as a
2 point to cover for the record. Winston had asked me to
3 be sure and respond to it, and I guess I was letting
4 this run its course before I threw that in to it. In
5 fact delivery of 911 information will not be affected
6 by the blocking. We will continue to deliver the
7 number. It's a different piece of technical data.

8 COMMISSIONER BEARD: Whoa now. If I'm at home,
9 and I'm a law enforcement agent, and I have blocking on
10 my phone for my business use, and my wife picks up the
11 phone and dials 911, that number will go through?

12 MR. CRISER: That will go through to 911.

13 COMMISSIONER BEARD: So you can actually block to
14 only certain numbers?

15 MR. WHITEHEAD: It uses different technology. We
16 deliver the ANI for 911, which is a billing number
17 versus -- it's using different technology.

18 COMMISSIONER EASLEY: But you can't do 900
19 billing. I love it.

20 COMMISSIONER GUNTER: It only took you about six
21 or eight months to get that one word or two words put
22 in there.

23 MR. CRISER: In the simplest terms when blocking
24 is initiated at the switch that serves the Caller ID
25 customer, the calling party's number is held at that

GOMIA AND ASSOCIATES

0 1174-90

1 switch and a privacy indicator is delivered a "P." 911
2 does not rely on the same technology.

3 CHAIRMAN WILSON: You know, you never did answer
4 my question earlier. Is the common channel signaling
5 system capable of providing a dummy number? When I
6 asked you that question, you said Ringmaster was an
7 alternative. But I just want to know whether that
8 system can provide a dummy number.

9 MR. WHITEHEAD: No, the protocol in the standard
10 is set up that the, and it's very important that we do
11 this, that the actual number be sent along the CCS-7
12 network with the call setup message that goes through.

13 CHAIRMAN WILSON: It just pulls it off the network
14 as it's sent anyway?

15 MR. WHITEHEAD: Right. But if, for example, if
16 you were a crisis intervention agency and you had a,
17 used a nonpublished number and didn't receive calls for
18 that phone, turned off the ringer for that particular
19 line, nobody could associate that number with where you
20 are or who you are. So that is another alternative for
21 someone at home or --

22 CHAIRMAN WILSON: If you did what now?

23 MR. WHITEHEAD: If you just had a, if you just had
24 an outgoing line, or just had a normal line and turned
25 off the ring of the phone so you won't receive incoming

1 calls or you won't answer calls at that number, and you
2 nonpublish that number, then nobody could associate
3 that number that is delivered with your address, where
4 you are, who you are, and it's another alternative for
5 somebody who wants to keep their anonymity.

6 COMMISSIONER GUNTER: Yeah, but look at it with
7 common sense --

8 CHAIRMAN WILSON: Can I see if I understand what
9 he said. If my number is 555-5555, and I make calls
10 out to people and that shows up, that they have those
11 pieces of CPE, but I undo the ringer on mine, it just
12 means they can't call me back.

13 MR. WHITEHEAD: Well, what I'm saying, I guess in
14 a situation --

15 CHAIRMAN WILSON: Is that what you are saying?

16 MR. WHITEHEAD: In a scenario where the crisis
17 intervention agency, where you may want to have some
18 phones for the people in that shelter to use to call
19 out, you could have phones that have, that you don't
20 receive calls in on, whether it be an outgoing line or
21 you turn off the ringer for that phone, then someone
22 could not associate, could not call up from Directory
23 Assistance, for example, if it's unpublished, could not
24 call up and say where is this crisis intervencion
25 agency that my x-wife just called from.

1 CHAIRMAN WILSON: And if nobody answered the
2 phone, they wouldn't pick it up and say, "This is the
3 Crisis Intervention Center."

4 MR. WHITEHEAD: Right, and you couldn't, that
5 person couldn't call back and ask somebody where they
6 are located, and the outgoing nature of the line would
7 prevent calling back in and asking somebody where you
8 are. That is just another alternative. We want as
9 many alternatives that --

10 COMMISSIONER GUNTER: I'm still trying to
11 understand. If you have a, I'm back on law enforcement
12 now. And you have somebody that is on the street, and
13 they have a place that they live, and if they make
14 calls from there, because I would assume, you know, if
15 it's anything like Miami Vice, you know, that is a
16 little bit glamorized, but I would think that you would
17 have to go out and somewhat live the life of the person
18 that you were trying to apprehend in an undercover
19 situation. So you have got to have a place that you
20 are going to live, and most folks have got a telephone,
21 and you could explain away it being not listed because
22 you say, "Hell, I don't want everybody to call me."
23 You know, "I don't want everybody to know that place."
24 But how could you, technically how do you allow them to
25 send and receive calls and still give them a

GOMIA AND ASSOCIATES

1 quote/unquote dummy number there that you wouldn't be
2 able to identify where they were? I am just trying
3 think through that process.

4 MR. LONG: Commissioner, I have been working with
5 Miami Vice and some other law enforcement agencies.

6 COMMISSIONER GUNTER: How is old Don doing?

7 MR. LONG: Just fine. Concerned about the dummy
8 number issue though; that they are working amongst
9 themselves and trying to work with Southern Bell down
10 in South Florida to work out something to where a dummy
11 number would be passed. So when the person calls that
12 number back, it will be forwarded to an answering
13 machine or something where something will answer it to
14 denote it's a live number.

15 They haven't worked it out yet. They realize it's
16 a concern and a problem. And they are trying to figure
17 out a way to circumvent it in that way. That does not,
18 however, address staff's remaining concern about the
19 "P," about the fact that the private numbers are
20 separated from other nonpassed numbers. We were under
21 the impression that all numbers that were not passed
22 either had a zero, or a minus, or out of area or what.
23 It was just a single display that you would get for all
24 numbers that weren't passed.

25 COMMISSIONER BEARD: See, therein lies the basic

GOMIA AND ASSOCIATES

1 problem to me, okay. There are some inherent benefits
2 to law enforcement to zero blocking, some significant
3 inherent benefits. Currently law enforcement in order
4 to enter a home, or to do some of these other things,
5 put taps or whatever, it has to get a court order. If
6 that type of technology is available, you follow that
7 same scenario, it's more of a hoop. It's the same hoop
8 they have to hop through now. Okay. So you haven't
9 added that.

10 But the flipside of that is they get some inherent
11 benefits with zero blocking, some significant benefits,
12 and I think that if you look at the proper technologies
13 and some options that are available, like you
14 described, if you are advocating the blocking for law
15 enforcement you are cutting off your nose to spite your
16 face in the long term.

17 CHAIRMAN WILSON: What would you have the call say
18 instead of "p"?

19 MR. LONG: Zero, a minus sign or blank.

20 CHAIRMAN WILSON: What does that tell the person
21 who sees that on there?

22 MR. LONG: That it's a long distance number, or a
23 cellular number or a number from another area or
24 somehow it didn't get passed or any one of a number of
25 things.

1 CHAIRMAN WILSON: What is it going to show when
2 it is a long distance number?

3 MR. LONG: I believe out of area.

4 MR. WHITEHEAD: It says out of area today. And of
5 course, we plan to have interconnection with
6 interexchange carriers in 1991, so we would hope --

7 CHAIRMAN WILSON: So you would then be providing
8 that number anyway.

9 MR. WHITEHEAD: Hope to receive the number from --

10 CHAIRMAN WILSON: Okay, so let's strike that one
11 from the list. What else would you have it show? If
12 it shows zero, or if it shows minus and people become
13 knowledgeable of this, they are going to know that
14 anybody who has zero or minus is the same thing as
15 people who would have had the "P," which means they are
16 either law enforcement, crisis intervention or
17 whatever. Anybody who is blocking that number has to
18 be one of the people who qualify, and it's only going
19 to be this limited list of people who qualify.

20 COMMISSIONER GUNTER: You've got that right.

21 CHAIRMAN WILSON: So really whatever you put down
22 there is going to indicate to whoever is receiving the
23 call that if I'm a criminal that I don't want to answer
24 the phone call.

25 MR. LONG: If and when this service becomes

1 ubiquitous, that is true. However, now it's only
2 available in a limited service area to local numbers.
3 There are a lot of limitations to it. There are
4 probably more numbers not being passed than are being
5 passed in total, and --

6 CHAIRMAN WILSON: And we are in the infant stages
7 of this, and we've got to think about what the
8 implications are. Is there any plan at any point to
9 allow a party to also get the street address when the
10 number comes? Is your technology capable of doing
11 that? It is, isn't it?

12 MR. CRISER: Is the technology capable, the answer
13 would be yes.

14 CHAIRMAN WILSON: There wouldn't be any problem
15 with tying in your white pages with the telephone
16 number?

17 MR. CRISER: We have a problem with that. In the
18 instance of say our policy today, which is, would
19 remain the same, as an example with an obscene or
20 harassing phone call. When the person receiving the
21 call contacts us and advises us, and we go through
22 today's longer process of identifying what that number
23 is, we do not divulge the name and address to that
24 individual. We deal with law enforcement directly in
25 order to protect the right -- I sometimes loosely refer

1 to it as our shotgun law. It prohibits the receiver of
2 that call from grabbing a shotgun and going out the
3 door. And so we have had that policy of dealing
4 directly with law enforcement with that information.

5 One point I would just like to make --

6 CHAIRMAN WILSON: Well, I just didn't want to get
7 in to the argument here about people receiving the
8 phone call, the phone number, and come to find out in
9 about three years you all are going to walk back in
10 here with a tariff that says we think people would also
11 benefit from receiving the address, because we have
12 that data in the white pages, and it's nothing just to
13 tag that line and send it through the common channel
14 signaling system so that you not only get the number,
15 but you get the name and the address of the party who
16 is calling.

17 COMMISSIONER GUNTER: Do they still publish in
18 City Directories the same way they used to?

19 CHAIRMAN WILSON: Yeah, you can get that easily.

20 COMMISSIONER GUNTER: The only thing that you've
21 got to do is have the number, and it will take you
22 about -- if you follow, you can cipher and figure, you
23 can go and know what the address is and who is listed
24 there.

25 CHAIRMAN WILSON: And vice versa, if you know the

GOMIA AND ASSOCIATES

1 address, you can find out what the phone number is.

2 COMMISSIONER GUNTER: That's exactly correct. If
3 you have the telephone number, you can find out in a
4 heart beat who is there. You have got the law
5 enforcement man agreeing with that.

6 COMMISSIONER HERNDON: Mr. Chairman, can I --

7 MR. CRISER: Commissioners --

8 COMMISSIONER HERNDON: I would make a request to
9 you I guess, Mr. Chairman, for a variety of reasons I
10 would like to see that this item be deferred. I'm
11 going to request that it be deferred for three weeks,
12 not until next Tuesday, which I don't think it's a
13 practical enough amount of time to answer some of the
14 questions that I have, and if it turns out that three
15 weeks is insufficient time, then so be it. But I would
16 like to see this issue come back. I would like to
17 request that it be deferred for a three-week period.

18 And I have six questions that I would like to get
19 answered, and there may be others as well, prior to
20 that time, if that is agreeable with you.

21 MR. LONG: Should we keep the tariffs in suspense
22 during that period?

23 CHAIRMAN WILSON: I would like to hear the six
24 questions first, because I haven't heard a question yet
25 that I don't think I have a good answer to.

1 COMMISSIONER HERNDON: Okay. I would like to know
2 what the other States' practices are. I would like to
3 know what our proposal is going to be with respect to
4 unlisted and unpublished numbers. I would like to know
5 what the policy recommendation is with respect to
6 individual employees of agencies who qualify under the
7 guidelines that we've got identified here. Are they
8 going to be charged for blocking, or are they going o
9 be charged for the other services? I would like to
10 know what the IJLC final report said coming out of
11 Miami. I would like to know on the service order
12 charge, I guess this in part goes back to my question
13 about individual employees versus agencies and so forth
14 what the proposal is with respect to the service order
15 charge for individuals as well as for agencies.

16 And finally, I would like to have a better sense
17 of the costs for the alternatives to blocking. I
18 appreciate full well there are alternatives, and I am
19 aware of four or five of them. Each of them has
20 different costs. I mean the cellular to me is not a
21 particularly viable option because it's going to cost
22 somebody \$500 to implement a cellular phone for a
23 blocking option.

24 But some of the other options may be far more
25 manageable in terms of costs for agencies and for

1 individuals, and I would like to have just simply a
2 table that lists alternatives and then the costs
3 associated with those alternatives.

4 COMMISSIONER EASLEY: I have a seventh, Mr.
5 Chairman.

6 COMMISSIONER HERNDON: Okay.

7 COMMISSIONER EASLEY: And that would be the
8 solution to the display of the "P" for private and a
9 separation of those distinctions between the various
10 types of calls that are being blocked.

11 COMMISSIONER HERNDON: Mr. Chairman, I realize
12 full well that there is a certain amount of impetus to
13 get this service implemented, but as you pointed out I
14 think very correctly, this is just the infancy of this
15 service, and I think we need to understand the
16 implications of what we are doing before we embark on
17 it and get down the road three years and find out that
18 we overlooked something.

19 COMMISSIONER EASLEY: Or that we did indeed put
20 somebody in jeopardy and then trying to come back six
21 months or three years from now and fix it doesn't undo
22 that problem.

23 MR. CRISER: Could I raise --

24 CHAIRMAN WILSON: Well, let me first go through
25 these. I understand we had the question of the other

1 States answered, didn't we? That there is no blocking
2 in other States.

3 MR. LONG: That is speculation. You know, I
4 couldn't stake my life on it. So we should check up
5 on that.

6 COMMISSIONER HERNDON: I would like to know, I
7 mean as we get the specific decisions that other States
8 have made, particularly, for example, if New Jersey has
9 done this on a trial basis, what was their experience
10 when they had the no blocking? Did they run into
11 problems with some of these social service agencies and
12 some of these law enforcement agencies with undercover
13 agents? And I would like -- just the simple, raw,
14 there is no blocking is an answer, but it may not be a
15 sufficient answer, because I would like to know why
16 they didn't have a problem and we are getting, you
17 know, enough inquiries to seem to us to indicate that
18 we are going to have a problem. I mean what is
19 different about New Jersey and Florida that we would
20 have no problem up there and a problem down here.

21 CHAIRMAN WILSON: I think it's because they don't
22 have any crime in New Jersey.

23 COMMISSIONER HERNDON: That must be it. I knew
24 there was a reason for that

25 MR. RUSEO: And we would also, as Mark was

1 mentioning, if you do that, you would have to
2 reconsider your earlier effective date of this tariff
3 and instead suspend it for eight months, or however
4 many days.

5 CHAIRMAN WILSON: Let me find out a couple of more
6 things. The service order charge, you have proposed
7 that there not be a service order charge. I mean
8 you've got two tariffs, but the primary one says --

9 MR. CRISER: We have not advocated a service
10 order charge.

11 CHAIRMAN WILSON: -- there will be no charge.

12 MR. CRISER: We have not advocated a service order
13 charge.

14 COMMISSIONER HERNDON: That service order charge
15 would not apply to the agency, is that correct?

16 MR. LONG: Our recommendation is that it would not
17 apply period.

18 COMMISSIONER HERNDON: Okay.

19 MR. CRISER: To clarify my comment about the
20 agency. What I had intended by that was to indicate
21 that we felt it was more appropriate for our contact to
22 be with an agency in discussing the extent of their
23 needs in trying to determine if it fits within the
24 criteria of the blocking.

25 COMMISSIONER HERNDON: Sure.

1 MR. CRISER: Rather than someone calling and self-
2 identifying himself as an undercover --

3 COMMISSIONER HERNDON: I have no problems with
4 that, Marshall. I think that is absolutely true. I
5 mean if the Miami office of AB&T wants to have blocking
6 you ought to deal with that office. But my concern is
7 then you block that office. But the AB&T Miami office
8 says, "I've got six guys who are out in the field that
9 I want blocked, too." Is the service order charge to
10 block them going to apply them as individuals? Are you
11 going to charge them as individuals? Are you going to
12 charge the agency? Are you going to charge nobody?
13 Are you even going to make blocking available to that
14 individual?

15 Those are the questions that I want to get asked.
16 I agree with you that you ought to be dealing with the
17 agency directly.

18 MR. CRISER: And I believe our policy had been
19 that as we determined an appropriate need that, you
20 know, depending on how the Commission had decided as to
21 whether or not other a service order charge was
22 appropriate or not, I kind of view that as a blanket
23 issue. If it's determined that a service order charge,
24 that it's in effect a minimal amount, it's a one-time
25 fee and that it's not appropriate to charge it, and we

1 would apply that across the board in dealing with an
2 agency's particular request.

3 As an example, a violence intervention agency
4 quote/unquote, I guess in my mind sometimes is a home.
5 It serves a function as an agency. It doesn't, but at
6 the same time, you know, that's why I mentioned earlier
7 the difference in the fact I just want to identify for
8 clarity that we do recognize that an agency may in fact
9 be a residence, and we would deal with them one-on-one
10 in that regard.

11 If I could make one other comment. I believe that
12 most of the questions that were raised, as an example
13 the costs of some of the other alternatives are
14 contained in the staff recommendation and we provided
15 a lot of that.

16 I don't mean to push, but just as a point of
17 keeping the record straight, when we had come out from
18 the December 19th Agenda, and received the subsequent
19 order we had understood this service to be, would be
20 administratively approved if in fact we complied with
21 the Commission's earlier directive. I don't dispute
22 the Commission's ability, as someone said earlier, the
23 Commission giveth and the Commission taketh away, and I
24 understand that.

25 However, based on that prior understanding, we

1 have taken certain steps in terms of advertising and
2 making commitments to customers, and I understand there
3 are now some 900 customer requests for Caller ID
4 Service. And my concern would be that, and there has
5 been a commitment in terms of promoting this.

6 As soon as we saw the new recommendation which we
7 felt changed where we thought we were, we thought we
8 had complied with exactly what the Commission wanted us
9 to do, we notified staff we had already taken those
10 steps. And I just want to point that out in terms of
11 we are now faced with a situation that if we back down
12 from this or postpone this, we have a number of
13 customers out there who have requested service and are
14 awaiting something. We have gone through the
15 notification process to make various agencies aware
16 that it will be available.

17 COMMISSIONER GUNTER: We went over that earlier.

18 MR. CRISER: Pardon?

19 COMMISSIONER GUNTER: We went over that earlier
20 and it's being --

21 MR. CRISER: It's out there. And to the extent
22 that we could reasonably respond to any questions right
23 now, if there's a chance of doing that, I would like
24 to.

25 CHAIRMAN WILSON: When is the next agenda?

GOMIA AND ASSOCIATES
1
(

1 COMMISSIONER EASLEY: A week from today.

2 COMMISSIONER HERNDON: A week from today.

3 COMMISSIONER BEARD: Have you got a copy of the
4 IILC final draft? And, Commissioner Herndon, let me
5 say something, too. I didn't mean to intimate that
6 even the, what came out of Miami is final.

7 COMMISSIONER HERNDON: Yeah, I know.

8 COMMISSIONER BEARD: But it's their most recent
9 draft, and if you don't have a copy of that, so we can
10 understand why they, not only what they say but why
11 they say it, then I don't think we can fully respond.

12 COMMISSIONER EASLEY: Can the issue of the private
13 designation be resolved that quickly?

14 MR. CRISER: Commissioners, I think the issue may
15 be that any resolution of that issue may be just as --
16 we have never proposed that blocking is the cure-all.
17 I think we addressed it more from the perspective that
18 if the Commission felt that a particular, and I think a
19 lot of the earlier comment was toward a government
20 entity had a particular need, we had seen it more as
21 this is a no-cost option that they can take advantage
22 of in lieu of other things which they might have to pay
23 for.

24 I would not suggest to you that blocking is
25 appropriate. We would never want to suggest that

1 blocking is appropriate in all cases for all
2 individuals with the privacy. In fact there are
3 several other technologies not provided by Southern
4 Bell which already today deliver calling number
5 identification.

6 COMMISSIONER EASLEY: No, my question goes to the
7 issue when it is blocked and the "P" is displayed as
8 opposed to a zero, or a blank, or out of area or
9 whatever, is there a way to avoid that distinction and
10 come to some resolution within any kind of quick
11 timeframe?

12 MR. WHITEHEAD: I can answer that. The answer is
13 no. We would have to go through the standards process,
14 and through the North American Standards process to get
15 the standards changed for the protocol, and then after
16 getting the standards agreed upon, the change to
17 perhaps say it's an out-of-area call or whatever, to
18 send the same indication as some other indication, then
19 we would have to get our vendors to provide that in the
20 equipment that we have.

21 MR. LONG: I can check and see exactly what that
22 is going to take and can also check with other Regional
23 Bell Operating Companies that have this service and see
24 if any of them have come up against this, and if so --

25 CHAIRMAN WILSON: What happens is you send a

1 signal to a piece of CPE at somebody's house. You
2 don't send a "P." You send an electronic signal, and
3 it displays the "P." So what you are talking about is
4 changing the protocol for that piece of CPE so that it
5 would read unavailable instead of "P"?

6 MR. WHITEHEAD: We don't have control over the
7 CPE. What we would have to do is send a different
8 signal from the switch that is similar to another
9 signal that would -- for example, the same signal for
10 an out-of-area call. In other words we would have to
11 make the privacy signal look like another signal that
12 we have today, such as an out-of-area signal.

13 COMMISSIONER EASLEY: All right. Mr. Chairman --

14 MR. WHITEHEAD: We don't have control over the
15 CPE, whether it says a "P" or -- the CPE could say out
16 of area receiving that privacy indicator, but we don't
17 have control of the CPE.

18 COMMISSIONER EASLEY: Mr. Criser indicated that he
19 would not, earlier in his presentation, that he would
20 not have a problem with a February 21st date as opposed
21 to February 1, as I recall.

22 COMMISSIONER HERNDON: That is the current staff
23 recommendation, the 21st.

24 COMMISSIONER EASLEY: But he said he wouldn't have
25 any trouble with that date. If we took the February

1 21st date and we deferred this item to the next agenda
2 instead of three weeks, that would still allow us to
3 meet the February 21 date. Would it allow us to get
4 enough answers to the questions to make a decision?

5 CHAIRMAN WILSON: Can you get the information by
6 then?

7 COMMISSIONER EASLEY: I'm not ready to make a
8 decision. I don't think, you know --

9 MR. LONG: I believe we can answer all of
10 Commissioner Herndon's questions. I don't know if we
11 can resolve the "P" issue. We can get enough
12 information or find if anyone in the country has
13 resolved it, but I don't know if we can resolve that.

14 COMMISSIONER EASLEY: That would help. Right now
15 there are too many unanswered, totally unanswered, and
16 the problem that I'm having with this item is that, and
17 I realize what you are saying, that we said
18 administratively if you met all the requirements we
19 would say it was okay. The trouble is a lot of these
20 questions are coming up after that decision was made,
21 and that makes it kind of tough.

22 I am trying to forestall in my own mind, I am
23 trying to forestall if we put it in to place and then
24 six months from now we come up with some really
25 serious questions that we didn't even think about.

1 COMMISSIONER HERNDON: Mr. Chairman, can I, I have
2 absolutely no problem with one week, as I said at the
3 very outset, one week is fine with me, if it gives the
4 staff enough time to get the answers to the questions.
5 That is perfectly appropriate.

6 And I also want to apologize to Southern Bell. I
7 just completely overlooked the dollars and cents
8 figures. And I read this recommendation very
9 carefully, and I did not see it, and I just flipped two
10 pages when I meant to flip one or something. I don't
11 know what happened, but I didn't see it in here. So
12 that information is in here, and I apologize.

13 COMMISSIONER GUNTER: But it's like, there's
14 another piece of the conversation today, and you were
15 talking about that Southern Bell is working with the
16 law enforcement community in South Florida, and nobody
17 has come up with a fix yet. And until somebody comes
18 up with the fix, wouldn't we be just a tad
19 irresponsible to move forward until you all could be
20 satisfied that there was a fix?

21 CHAIRMAN WILSON: I guess what I'm looking for is
22 the broke so that I know that there is a fix that needs
23 to come up. I ain't sure that I have seen anything
24 that is broke yet.

25 COMMISSIONER GUNTER: Well, I think I heard loudly

1 and clearly the gentleman from the federal agency that
2 in his opinion it's broke.

3 CHAIRMAN WILSON: Well, I also heard a number of
4 alternatives that would be very cheaply and easily
5 available to solve that situation.

6 COMMISSIONER GUNTER: Ain't none of those folks
7 ever had to tote a gun either.

8 CHAIRMAN WILSON: Commissioner Gunter, I don't
9 think it has anything to do with your or my feelings
10 about strong law enforcement. I think what we are
11 talking about here is a telephone issue and whether
12 there are alternatives available to it.

13 COMMISSIONER GUNTER: Yeah, but the telephone
14 alternatives, Mr. Chairman, with no disrespect
15 intended, by our own staff said they have not been able
16 to work out an acceptable alternative, which is a
17 telecommunications issue.

18 COMMISSIONER EASLEY: Well, Mr. Chairman, could I
19 get from staff if they think they would have enough
20 information in one week to at least come close --

21 MS. RUSSO: There is a February 20th Agenda, if we
22 could come to that one.

23 COMMISSIONER EASLEY: That doesn't help us meet
24 the 21st date.

25 MS. RUSSO: If it's approved, it can go into

1 effect on the 21st, like the same thing with the tariff
2 you just talked about going into effect the next day.
3 We do that all the time.

4 MR. LONG: It's scheduled to go into effect on the
5 21st.

6 COMMISSIONER BEARD: Mr. Chairman, that makes more
7 sense because if they get the information, I mean --

8 MR. LONG: We could get it to you. I don't know
9 if you would have enough time to read it.

10 COMMISSIONER BEARD: Sure, that's my point. Okay.
11 I can't, I just can't --

12 CHAIRMAN WILSON: All right, let's --

13 COMMISSIONER EASLEY: We will aim for the 21st for
14 the company's purposes and the 20th for ours.

15 CHAIRMAN WILSON: And still looking at an
16 effective date of February 21st on the February 20th
17 Agenda.

18 MS. GREEN: Okay. That means that you would be
19 reconsidering your decision in a previous order.

20 CHAIRMAN WILSON: We would have to.

21 MS. GREEN: Okay.

22 CHAIRMAN WILSON: We have to.

23 COMMISSIONER EASLEY: I would think that would
24 also mean that whatever information we are going to get
25 we would get it as soon as possible and not wait for

1 the normal course of events in an agenda item.

2 COMMISSIONER BEARD: Muy pronto.

3 MR. LONG: As soon as it becomes available, we
4 will forward it to you.

5 COMMISSIONER HERNDON: Let me just suggest, it may
6 be worthwhile for our staff, and the Southern Bell
7 people and some of the law enforcement community, the
8 FDLE, and the Attorney General's Office, and somebody,
9 the Sheriffs Association, and somebody to get together
10 and talk some of this thing through, because I'm
11 concerned that all we have got is one agency, and I am
12 glad they are here, but I wonder if all the rest of
13 them are just ignorant of this situation, or they don't
14 care, or their lack of presence here means everything
15 is fine, and they have figured out a solution. I mean
16 I --

17 MR. CRISER: Commissioner Herndon, we made
18 contacts --

19 COMMISSIONER HERNDON: I know you have.

20 MR. CRISER: -- during this period with hundreds
21 of representatives from various agencies. I hate to
22 make this more complicated, but I think I ought to
23 point it out in fairness. The period of going to
24 February 21st was to accommodate staff's
25 recommendation, that we have an opportunity to receive

1 and implement blocking for customers who might, for the
2 agencies which might be deemed appropriate. I only
3 want to point that out in terms of that if we go till
4 the 20th before we in fact have an effective tariff,
5 and again I apologize, but I guess the point being that
6 would not allow any period of time to make that
7 notification. And if there was any opportunity to come
8 back at an earlier date so we could still have time --
9 we have notified them at this point. I just am simply
10 saying that without an effective tariff we wouldn't be
11 in the process of providing blocking to them.

12 MR. LONG: Staff would assume that they would be
13 moving towards that and have them all identified and
14 ready.

15 COMMISSIONER EASLEY: I was going to ask, do you
16 have to wait for the approved tariff to move forward
17 with that? Is that the normal --

18 MR. LONG: I don't think they would have to
19 actually provide the blocking, but they could --

20 CHAIRMAN WILSON: They have to know who is going
21 to qualify for this blocking, because the nature of the
22 questions that I'm hearing are that it's going to be
23 expanded beyond law enforcement, and if it is, then
24 there has got to be notification.

25 COMMISSIONER EASLEY: No. Mr. Chairman, you are

1 hearing something that I'm not hearing. I have not
2 heard an expansion beyond certain agencies. What I am
3 hearing is the problem of individual employees within
4 those agencies, and that apparently has for the most
5 part been taken care of, other than how it's done, not
6 whether it's going to be done. It's more how than
7 anything else.

8 COMMISSIONER BEARD: Well, the problem is that
9 Secretary Coler's letter says that they haven't even
10 identified all the agencies yet for one, and let me
11 suggest to you that if you implement this service on
12 February 21st, if you knew everybody today, I don't
13 think you could get there in time. I may be wrong,
14 and you don't know everybody.

15 MR. CRISER: That has been part of our problem.
16 I guess when I referred earlier to a safety net, the
17 idea was to allow a time period for these requests to
18 come in. We could certainly, and I am sure we will get
19 notification since we have mailed our letters. We will
20 have people contacting us and requesting the service,
21 and we certainly could take their orders in effect
22 pending an effective date.

23 My only concern is there, I just want to address
24 what I thought was a concern of the Commission in terms
25 of having a period of time to get that implemented.

1 And if we go right up on top of an effective date, then
2 we have that problem.

3 MS. RUSSO: Yeah, what he says is probably true,
4 is that if we came back and got a vote on the February
5 20th, the staff recommendation would most likely say
6 something like now that there is a firm decision on who
7 should be notified, or notify everybody, and then in 30
8 days put it into effect, because we don't know what the
9 final rules are yet to tell Bell to do the
10 notification.

11 COMMISSIONER EASLEY: Can you make that
12 recommendation that works like time served will be
13 counted against the sentence so they could go ahead and
14 they could be notifying, and if they could show that
15 they had sent all of this out and everything you would
16 waive that requirement?

17 MS. GREEN: Commissioner, if you all are not
18 satisfied with what has been brought forward here
19 today, I would suggest you not allow yourselves to be
20 backed into a corner.

21 COMMISSIONER EASLEY: That's why we are unbacking.

22 MS. GREEN: If you are not happy with it, you
23 don't need to put a date certain.

24 COMMISSIONER EASLEY: Well, I don't think it's
25 fair not to put a date certain for the benefit of the

1 Company as to when we are going to take this up.

2 CHAIRMAN WILSON: It's the benefit of the
3 customers who are trying to get the service.

4 COMMISSIONER EASLEY: The customers, whoever. I
5 don't think it's fair just to open end it.

6 MS. GREEN: Well, they could notify every
7 customer. I mean I don't know how to deal with that
8 because they are going to miss somebody.

9 COMMISSIONER EASLEY: They are going to miss
10 somebody if we put six months on it.

11 COMMISSIONER HERNDON: Put it on next week.

12 CHAIRMAN WILSON: I don't think we will get the
13 answers by then.

14 COMMISSIONER BEARD: No, this service hasn't been
15 here for the last hundred years, and now we are going
16 to go a 21-day timeframe.

17 CHAIRMAN WILSON: We can go another 30 or 40 days.

18 COMMISSIONER BEARD: I realize it's an
19 inconvenience to those 900 customers, I appreciate
20 that. But the other thing that bothers me is an
21 individual out here on the street, Joe Six-pack, you
22 put the service in and all of a sudden my number is
23 being monitored and I didn't even know it. Now, we
24 are talking about every man, woman and child in
25 Florida. You know, do we have any obligation there?

1 Just some issues.

2 CHAIRMAN WILSON: All right. Let's postpone to
3 the February 20th, is that it? February 20th. Now,
4 we have to reconsider what, the effective date of the
5 tariff being the 21st?

6 MS. RUSSO: Right now it's shown as the first.

7 MR. LONG: February 1st is the current.

8 CHAIRMAN WILSON: February 1st.

9 COMMISSIONER HERNDON: I'll move to reconsider.

10 COMMISSIONER GUNTER: Second.

11 CHAIRMAN WILSON: All right, the motion to
12 reconsider has been made, and it's been seconded. All
13 in favor, aye. And leave that to be resolved at the
14 February 21st agenda as the effective date.

15 MR. LONG: February 20th.

16 COMMISSIONER GUNTER: 20th.

17 CHAIRMAN WILSON: The 20th, all right. Is there
18 anything else that we need to take, any action we need
19 to take on this?

20 MR. LONG: No, as long as the tariffs are
21 suspended and, you know, not effective, then we are
22 okay.

23 CHAIRMAN WILSON: All right. I hope you all would
24 engage in some discussions with Alcohol, Tobacco and
25 Firearms and whoever to see if this can be, if there

1 are legitimate problems there because we don't, I don't
2 think any of us want to leave law enforcement hanging
3 out there in a position that will compromise their
4 ability to do what they need to do.

5 All right. We are going to break until 1:15.

6 (Whereupon, discussion on the above item concluded.)
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER1
2 STATE OF FLORIDA)

3 COUNTY OF LEON)

4 I, PATRICIA L. GOMIA, Registered Professional
5 Reporter, Certified Shorthand Reporter, and Notary Public in
6 and for the State of Florida at Large:7 DO HEREBY CERTIFY that the foregoing agenda
8 conference proceedings were taken before me at the time and
9 place therein designated; that my shorthand notes were
10 thereafter reduced to typewriting under my supervision; and
11 the foregoing pages numbered 1 through 71 are a true and
12 correct record of the aforesaid proceedings.13 I FURTHER CERTIFY that I am not a relative,
14 employee, attorney or counsel of any of the parties, nor
15 relative or employee of such attorney or counsel, nor
16 financially interested in the foregoing action.17 WITNESS MY HAND AND SEAL this, the 2ND day of
18 FEBRUARY, A. D., 1990 IN THE CITY OF TALLAHASSEE, COUNTY OF
19 LEON, STATE OF FLORIDA.20
21 _____
22 PATRICIA L. GOMIA, RPR, CSR
23 216 West College Avenue
24 U.S. Post Office, Room 122
25 Tallahassee, Florida 32301

My Commission expires: June 17, 1990

GOMIA AND ASSOCIATES

ITEM NO.

CASE

18**

DOCKET NO. 891194-TL - Proposed tariff filings by SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY clarifying when a nonpublished number can be disclosed (T-89-506 filed 9/29/89) and introducing Caller ID to TouchStar Service. (T-89-507 filed 9/29/89)

Docket Opened: 10/13/89

Critical Date: Commission-voted effective date 2/1/90

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMU: Long
LEG: Green

Issue: 1. Recommendation that Southern Bell be required to add to its tariff an offering of optional blocking at no charge to the customer for certain entities such as nonprofit, tax-exempt domestic violence intervention agencies and federal, state, and local law enforcement agencies. The criteria used to determine eligibility should include but not be limited to:

1. The company (or individual) should establish that its business is law enforcement or one in which the divulgence of identities over the telephone could cause serious personal or physical harm to its employees or clients, such as a domestic violence intervention agency.
2. The agency (or individual) should establish that the forwarding of numbers through Caller ID would seriously impair or prevent it from performing its business.
3. The agency (or individual) should establish that no reasonable offering by the telephone company other than blocking will protect its desired anonymity.

The changes should be filed no later than 10 days from the date of the vote on this item.

Issue: 2. Recommendation that the Commission reconsider its decision in Order No. 22397 which allows Southern Bell's Caller ID tariffs (T-89-506 and T-89-507) to become effective on February 1, 1990. The tariffs should not become effective until February 21, 1990 or until the Company is able to notify and accommodate all agencies eligible for blocking.

Issue: 3. Recommendation that this docket be closed.