

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 29th  
day of December, 1993.

In the matter of United Telephone Company of       )  
Missouri's tariff sheets designed to introduce       )  
Company's "ExpressTouch Calling" features.       )  
CASE NO. TT-94-175

ORDER DENYING MOTION OF PUBLIC COUNSEL AND APPROVING TARIFFS

On December 1, 1993, United Telephone of Missouri (UTM) filed tariffs with the Public Service Commission (Commission) designed to introduced UTM's ExpressTouch calling features. UTM requested the Commission to enter its order approving the tariffs no later than December 17, 1993. The Office of Public Counsel (OPC) filed its Motion for Order Suspending Tariff and Granting Hearing on December 1, 1993. UTM filed its response on December 13, 1993. OPC filed Further Suggestions in Support of its motion for suspension on December 15, 1993.

OPC objected to UTM's tariffs on the grounds that: 1) the residential rates are not in the public interest and not cost based; and 2) Caller ID Blocking does not block Auto Call Return which could result in a customer's number being revealed against his wishes and without his knowledge.

On December 21, 1993, the Staff of the Missouri Public Service Commission (Staff) filed a memorandum giving its recommendation. Staff stated that it had reviewed the proposed tariffs and concluded that they are consistent with service offerings currently available from other local exchange companies and approved by the Commission. Staff recommended that the tariffs be approved.

In its memorandum Staff addressed the issues raised by OPC. Staff indicated that United's Call Tracer service is similar to call trace services offered by other local exchange companies (LECs). Staff compared the rates currently charged by other local exchange companies for call trace services with that requested by UTM for the same service. United's service is structured

similarly to the services provided by the other LECs, and its rates are within the range of rates charged by these LECs.

Staff also addressed the issue of the inability to block Auto Call Return. When a caller uses Caller ID Blocking on a call to a Caller ID subscriber, his number will not be displayed on the subscriber's equipment. The difficulty arises when the recipient of the call also subscribes to Auto Call Return. If the Auto Call Return feature is activated and a return call is accomplished, then the original caller's number will be revealed on the subscriber's itemized phone bill if it was a toll call, or if the subscriber uses local measured service and detailed message billing. Northern Telecom is working to develop software that would prevent the appearance of blocked numbers on a company's billing but it is not yet available, nor is its cost known. Staff recommended that the Commission require UTM to advise Staff immediately when software becomes available that will eliminate this problem. Staff pointed out that Auto Call Return has been offered by other companies since 1990 and no complaints have been received by the Commission's Consumer Service Department or by OPC.

Staff included as an attachment to its memorandum a copy of the customer notice UTM proposes to send regarding ExpressTouch services. The notice does not advise the customer of the possibility of having his number revealed to Auto Call Return subscribers.

UTM requested expedited treatment and the Commission has attempted to accommodate the Company. However, delay in the processing of UTM's tariff request beyond December 17, 1993, has been caused by company's failure to respond in a timely fashion to requests for information from Staff.

Having reviewed UTM's tariffs, OPC's pleadings, and Staff's recommendation, the Commission finds that OPC's motion to suspend these tariffs should be denied. UTM's pricing of its ExpressTouch services is consistent with

pricing by other companies offering the same services, which the Commission has found to be reasonable. The Commission finds more cause for concern in OPC's objection to the ineffectiveness of call blocking in certain cases. However, Auto Call Return has been offered by other companies since 1990 with no complaints reported. The Commission finds that some precautions on behalf of customers is in order. UTM should be ordered to advise the Staff once software to solve the problem is available and advise Staff of its cost. UTM should also be ordered to include in its customer notice the fact that a caller's number may appear on a billing statement to an Auto Call Return subscriber despite caller's use of Caller ID Blocking. The Commission finds that these two precautions will provide adequate protection to UTM's customers and that suspension of the tariffs and a hearing are not warranted. For these reasons the Motion for Order Suspending Tariff and Granting Hearing filed by OPC on December 1, 1993, will be denied.

The Commission further finds that the proposed ExpressTouch tariffs filed on December 1, 1993, detail services and pricing that are similar to the approved tariffs for other Missouri local exchange companies that provide similar services and should be approved.

**IT IS THEREFORE ORDERED:**

1. That the Office of the Public Counsel's Motion for Order Suspending Tariff and Granting Hearing is hereby denied.
2. That the ExpressTouch tariffs filed by United Telephone of Missouri on December 1, 1993, are hereby approved for service on and after January 9, 1994. The tariff sheets approved are:

P.S.C. MO. No. 22

First Revised Index, Page 3;  
Second Revised Index, Page 5.

Section 43, Original pages 7 through 14.

3. That United Telephone of Missouri shall advise the Staff of the Public Service Commission immediately upon the availability of software from any source that would effectively block a caller's number from billing statements to Auto Call Return subscribers, and advise Staff of the cost of that software.

4. That United Telephone of Missouri shall include in its customer notice regarding these services the fact that a caller's number may appear on a billing statement to an Auto Call Return subscriber despite caller's use of Call Blocking.

5. That this order shall become effective on the 9th day of January, 1994.

BY THE COMMISSION



David L. Rauch  
Executive Secretary

(S E A L)

McClure, Kincheloe and  
Crumpton, CC., Concur.  
Mueller, Chm., Absent.  
Perkins, C., Dissents.