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Dale Hardy Roberts  
Secretary of the Commission  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

Re: Sprint's Comments in Case No. TX-2001-512

Dear Mr. Roberts:

Sprint has reviewed the Chapter 3 and Chapter 33 Proposed Rules pertaining to Truth in Billing Rules and provides the following comments.

**4 CSR 240-33.040 Billing and Payment Practices for Residential Customers.**

Sprint recommends one change in section (4) relating to the acceptable methods of customer notification. Sprint notes that certain customers choose to receive their monthly bill electronically and that electronic mail notification for these customers should be an acceptable form of customer notification. Sprint recommends the following change to Proposed Rule 040 section (4) (additional language is underlined and in uppercase).

(4) A company proposing to increase rates for a regulated telecommunications service must provide at least ten (10) days advance written notice, or thirty (30) days advance written notice in the case of a small telephone company as defined in Section 392.230.5 RSMo, to affected customers with whom the company has an on-going business relationship. This requirement includes written notification to a presubscribed customer if a company proposes to increase rates for any service available to the presubscribed customer. Increases in billing increments are considered rate increases and are subject to Section 392.500, RSMo. Written notification must be provided to the presubscribed customer for services available to that presubscribed customer but billed to another party such as collect calls or calls billed to a third number. Bill inserts, bill messages, ELECTRONIC MAILINGS, and direct mailings are acceptable forms of customer notice. Written notification is not required if the affected service with the proposed rate increase regularly announces the

applicable rate prior to each time the customer uses the service. Written notification is also not required if the affected service is solely provided to the transient or casual calling customer.

#### **4 CSR 240-33.060 Residential Customer Inquiries.**

Sprint recommends section (1) be eliminated in its entirety. Sprint submits that the current language of section (1) is already included in current rules and the proposed elimination is warranted. Furthermore, Sprint submits that the proposed modification to this rule is already included in current rules and is therefore unnecessary. Specifically, section (1) proposes to require carriers to clearly state on its bills the company name and toll-free number for billing inquiries. This proposed rule is duplicative of 4 CSR 240.33-040 (8) (K) which states every bill must clearly include a "toll free telephone number where inquiries and/or dispute resolutions may be made for each company with charges appearing on the customer's bill."

Sprint also recommends the 900 blocking requirements contained within section (3) of the proposed rule be modified to refer only to local exchange carriers. As currently proposed, all telecommunications carriers would be required to offer 900 blocking; however, it is the LEC that has the technically feasible means to block 900 numbers upon customer request. Sprint recommends the following change to Proposed Rule 060 section (3) (additional language is underlined and in uppercase).

(3) Upon request of a customer by electronic communications or by writing, all LOCAL EXCHANGE ~~telecommunications~~ carriers shall restrict all 900 numbers from that customer's number at no charge to that customer.

Sprint also has a concern regarding section (4) of the proposed rule. As written, the terminating party's provider is really in control as the originating party's service provider may not be able to block at the terminating end. Special equipment may be required. Sprint recommends the following change to Proposed Rule 060 section (4) (additional language is underlined and in uppercase).

(4) Upon request of a customer by electronic communications or by writing, the telecommunications carrier providing PAYPHONE service to state correctional facilities shall restrict all calls from state correctional facilities to that customer's number, WHERE TECHNICALLY FEASIBLE, at no charge to that customer.

Finally, Sprint seeks a clarification with section (7) of this proposed rule as it relates to providing customers notification of their rights *at the time of application for*

service. Sprint notes that its current application process is via phone and is already quite lengthy. Thus, written notification of customers' rights would be more beneficial to the customer and the carrier. Sprint suggests that this type of information be made available via the initial customer care package (e/g welcome package) and updated annually thereafter via bill messages or bill inserts. Furthermore, Sprint questions the need to reiterate the customers' rights when ever there is a disputed billing item. In many instances, the billing dispute is resolved quickly and there is no need for further action. Restating information that has already been provided to the customer, and is provided annually thereafter, is unwarranted and will increase the carriers' costs of providing quality customer care. Sprint recommends the following change to Proposed Rule 060 section (7) (additional language underlined and in uppercase).

(7) Customers shall be PROVIDED INITIAL NOTIFICATION notified of their rights in Sections 3, 4, 5 and 6 above. ~~at the time of application for service.~~ Additional notice shall be provided annually thereafter by bill insert, statement on customer bills or annually in the telephone directory. ~~Each time a customer notifies a telecommunications carrier or its billing agent that the customer's bill contains charges for products or services that the customer did not order or that were not received, the customer will be informed of their rights in Sections 3, 4, 5 and 6 at the time the customer notifies the telecommunications carrier or its billing agent.~~

#### **4 CSR 240-33.080 Disputes by Residential Customers.**

Sprint submits that the proposed addition to this rule is already included in current rules and therefore this rule should not be modified. Specifically, section (1) which requires the bills to identify the company name and toll-free number is duplicative of 4 CSR 240.33-040 (8) (K) which states every bill must clearly include a "toll free telephone number where inquiries and/or dispute resolutions may be made for each company with charges appearing on the customer's bill". As this was the only proposed change to this rule, Sprint recommends 4 CSR 240-33.080 remain unchanged.

#### **4 CSR 240-33.110 Commission Complaint Procedures**

Sprint recommends one change to this proposes rule as it relates to section (3) and a company's obligation to acknowledge receipt of an informal Staff inquiry. As currently proposed, a company is required to acknowledge receipt within 24 hours – even if Staff's inquiry is made late Friday afternoon, on a holiday or a weekend. Sprint understands the need for immediate response for potential disconnections but notes that Rule 70 of this Chapter (Discontinuance of Service to Residential Customer) has ample safeguards.

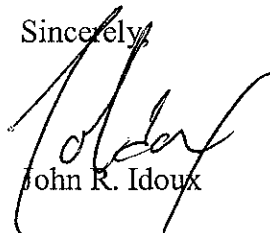
Section (4) prohibits a phone company for disconnecting a customer when its offices will be closed to handle reinstatement (such as weekends or holidays). Furthermore, Section (5) requires at least two customer notices. Sprint recommends the following change to Proposed Rule 110 section (3) (additional language is underlined and in uppercase).

(3) A telecommunications company shall acknowledge or respond by fax transmission or e-mail to all commission staff inquiries related to informal complaints as follows:

- (A) The company shall acknowledge receipt of inquiries related to denial or discontinuance of service issues within ONE (1) BUSINESS DAY. 24 hours;
- (B) The company shall acknowledge receipt of inquiries related to all other informal complaints within three (3) business days; such acknowledgment shall include current account status and an estimated timeframe for final response;
- (C) If the company and MoPSC staff have not informally agreed to an extension or a resolution to the informal complaint, the company shall provide a status report on the informal complaint within fifteen (15) days of receiving such inquiry;
- (D) The company shall provide, no later than thirty (30) days after receiving such inquiry, the company's plan and time frame to resolve the informal complaint.
- (E) If a formal complaint regarding the same inquiry is filed the company need not respond further to the informal complaint.

Please do not hesitate to contact myself if you have any questions.

Sincerely,



John R. Idoux