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## TITLE 815 - DIVISION OF PUBLIC UTILITIES AND CARRIERS

### CHAPTER 10 - TELECOMMUNICATIONS

#### SUBCHAPTER 00 - GENERAL ADMINISTRATION

Part 1 - Regulations and Fee Schedules for Telecommunications Providers

#### 1.1 Authority

These regulations, enacted pursuant to 1995 P.L. Chapter 316, govern the fees payable by telecommunications providers who are not otherwise subject to the provisions of R.I. Gen. Laws §§ 39-1-26(a) or (b). These fees represent the reasonable costs incurred by the Division of Public Utilities and Carriers and the Public Utilities Commission in docketing, investigation, and decision-making.

#### 1.2 Definitions

A. As used in these rules, except as otherwise required by the context:

- 1, "Applicant" means, in proceedings involving filings for permission or authorization which the Commission may give under statutory or other authority delegated to it, the party on whose behalf the filings are made.
2. "Clerk" means the Commission clerk, appointed by the Commission pursuant to R.I. Gen. Laws § 39-1-9.
3. "Commission" means the Public Utilities Commission.
- 4 "Division" means the Division of Public Utilities and Carriers described in R.I. Gen. Laws §§ 39-1-2(4) and 39-1-3.
5. "Telecommunications provider" means any person, firm or corporation providing, inter alia, intrastate telecommunications services, which is not otherwise liable for payments to the Public Utilities Reserve Fund or for rate case expense reimbursements. For the purpose of these regulations, telecommunications providers are subdivided into six classes:
  - a. Class I: Competitive Access Providers ("CAP"). Entry is controlled by Docket No. 2129. These carriers are facilities-based, providing customers with some of the same services available through the local exchange carrier.
  - b. Class II: Resellers doing business as Certified Switchless Resellers ("CSR"). Entry is controlled by Docket No. 2262, incorporating

many of the requirements of Docket No. 2129. CSRs are non-facilities-based carriers which purchase access at a discount from facilities-based carriers and/or the local exchange carrier, and market or resell their services.

- c. Class III: Resellers doing business through the use of debit cards ("DCS"). DCS is a pre-paid calling-card service provided by a wholesale company that allows an in-state outbound call to be charged to a debit card, typically through the use of a "1+800" number and a personal identification number.
- d. Class IV: Operator Service Providers ("OSP") or Alternate Operator Services ("AOS"). These providers offer an alternate to operator services provided by the local exchange carriers and facilities-based interexchange carriers. OSPs furnish services to carriers who do not have their own operators, and to businesses such as hotels, hospitals, airports, and educational institutions. The services may include calling card, collect, and third-party calls.
- e. Class V: Private coin telephones. This class includes Customer-Owned, Coin-Operated Telephones ("COCOT") and Inmate Services. COCOTs generally secure alternative operator services for calling card, collect, and third-party calls, since the financial commissions are greater. Inmate Services provides outbound-only coin telephones for residents of the state and federal prisons.
- f. Class VI: Other service providers who are not covered by Classes I-V.

### **1.3 Original Applications**

- A. Class I. In addition to the materials required to be submitted to the Clerk pursuant to Docket No. 2129, CAP applicants shall tender \$300.00, in a check payable to the State of Rhode Island. No application shall be accepted for docketing in the absence of full payment and all required paperwork.
- B. Class II. In addition to the materials required to be submitted to the Clerk pursuant to Docket No. 2262, CSR applicants shall tender \$250.00, in a check payable to the State of Rhode Island. No application shall be accepted for docketing in the absence of full payment and all required paperwork. Certain CSRs were granted interim authority by the Commission, pending action by the General Assembly. Holders of interim authority need not refile their materials, but will obtain permanent authority by submitting a letter requesting the same, accompanied by \$250.00, in a check payable to the State of Rhode Island.
- C. Class III. In addition to a Statement of Business Operations and initial tariffs, DCS applicants shall tender \$250.00, in a check payable to the State of Rhode

Island. No application shall be accepted for docketing in the absence of full payment and all required paperwork.

- D. Class IV. Class IV applicants are required to file certain information with the Division, pursuant to the Rules and Regulations for Telephone Operator Service Providers in Rhode Island, issued April 8, 1991. In addition, OSPs shall tender \$250.00, in a check payable to the State of Rhode Island. No application shall be accepted for docketing in the absence of full payment and all required paperwork.
- E. Class V. COCOTs with fifteen units or more who wish to offer service as Class V telecommunications providers, must submit a registration form, listing information required by Docket Nos. 1786, 1796, and 1899, and initial tariffs. Inmate Services providers must submit a copy of the contract with the State of Rhode Island or the United States of America. In addition to this paperwork, Class V telecommunications providers shall tender \$150.00, in a check payable to the State of Rhode Island.
- F. Class VI. The Division will dictate entry requirements for these providers on a service-by-service basis. Class VI telecommunications providers shall tender a check payable to the State of Rhode Island, in an amount to be determined by the Division, not to exceed \$300.00.

#### **1.4 Annual Fees**

- A. Class I. In addition to the materials required to be submitted to the Clerk annually pursuant to Docket No. 2129, CAPs shall tender \$250.00, in a check payable to the State of Rhode Island, not later than July 1 following the date on which authority was granted. Failure to remit the annual fee by August 1 shall result in suspension of authority. Such suspension shall automatically become revocation if the annual fee remains unpaid by September 1; Class I telecommunications providers whose authority has been revoked may reapply for authority by filing an original application with the appropriate fees, as described in § 1.3(A) of this Part.
- B. Class II. In addition to the materials required to be submitted to the Clerk annually pursuant to Docket No. 2262, CSRs shall tender \$175.00, in a check payable to the State of Rhode Island, not later than July 1 following the date on which authority was granted. Failure to remit the annual fee by August 1 shall result in suspension of authority. Such suspension shall automatically become revocation if the annual fee remains unpaid by September 1; Class II telecommunications providers whose authority has been revoked may reapply for authority by filing an original application with the appropriate fees, as described in § 1.3(B) of this Part.
- C. Class III. DCS providers shall tender \$175.00, in a check payable to the State of Rhode Island, not later than July 1 following the date on which authority was granted. Failure to remit the annual fee by August 1 shall result in suspension of

authority. Such suspension shall automatically become revocation if the annual fee remains unpaid by September 1; Class III telecommunications providers whose authority has been revoked may reapply for authority by filing an original application with the appropriate fees, as described in § 1.3(C) of this Part.

- D. Class IV. AOS or OSP providers shall tender \$175.00, in a check payable to the State of Rhode Island, not later than July 1 following the date on which authority was granted. Failure to remit the annual fee by August 1 shall be cause for notice of a Show Cause hearing, publication of the notice on the National Association of Regulatory Utility Commissioners' Electronic Bulletin Board, and potential revocation if the annual fee remains unpaid by September 1; Class IV telecommunications providers whose authority has been revoked may reapply for authority by filing an original application with the appropriate fees, as described in § 1.3(D) of this Part.
- E. Class V. COCOTs and Inmate Services providers with fifteen or more units shall tender \$25.00 or \$0.10 per telephone, whichever is greater, in a check payable to the State of Rhode Island, not later than July 1 following the date on which operations began. Failure to remit the annual fee by August 1 shall be cause for notice of a Show Cause hearing and publication of the notice on the National Association of Regulatory Utility Commissioners' Electronic Bulletin Board. Class V telecommunications providers whose annual fees have not been paid by September 1 must reapply for authority by filing an original registration application with the appropriate fees, as described in § 1.3(E) of this Part.
- F. Class VI. Class VI telecommunications providers shall tender a check payable to the State of Rhode Island, in an amount to be determined by the Division, not to exceed \$250.00.

## **1.5 Additional Filing Fees**

- A. Class I. CAPs shall tender \$50.00, in a check payable to the State of Rhode Island, with each tariff revision or non-tariff filing, other than the annual filings required by § 1.4(A) of this Part. No filing shall be accepted for docketing unless the account is in full satisfactory status, and full payment is made.
- B. Class II. CSRs shall tender \$50.00, in a check payable to the State of Rhode Island, with each tariff revision or non-tariff filing, other than the annual filings required by § 1.4(B) of this Part. No filing shall be accepted for docketing unless the account is in full satisfactory status, and full payment is made.
- C. Class III. DCS providers shall tender \$50.00, in a check payable to the State of Rhode Island, with each tariff revision or non-tariff filing, other than the annual filings required by § 1.4(C) of this Part. No filing shall be accepted for docketing unless the account is in full satisfactory status, and full payment is made.

- D. Class IV. AOS or OSP providers shall tender \$50.00, in a check payable to the State of Rhode Island, with each tariff revision or non-tariff filing, other than the annual filings required by § 1.4(D) of this Part. No filing shall be accepted for docketing unless the account is in full satisfactory status, and full payment is made.
- E. Class V. COCOTs and Inmate Service providers shall tender \$25.00, in a check payable to the State of Rhode Island, with each tariff revision, other than the annual filing required by § 1.4(E) of this Part. No payment shall be required with non-tariff filings. No filing shall be accepted for docketing unless the account is in full satisfactory status, and full payment is made.
- F. Class VI. Class VI telecommunications providers shall tender \$50.00, in a check payable to the State of Rhode Island, with each tariff revision or non-tariff filing, other than the annual filings which may be required by §1.4(F). No filing shall be accepted for docketing unless the account is in full satisfactory status, and full payment is made.

## **1.5 Miscellaneous Provisions**

- A. Multi-class Providers. A telecommunications provider who has authority under more than one class must submit the paperwork for each class, and the associated with the highest class.
- B. Publication of Arrearages. An AOS, OSP, COCOT, or Inmate Services provider which fails to submit the annual fee in a timely manner will be summoned for a Show Cause hearing. Notice of this hearing will be published on the National Association of Regulatory Utility Commissioners' Electronic Bulletin Board so that the regulators in other states can be alerted to the provider's failure to comply with regulations. The provider shall be classified "unsatisfactory" for all inquiries.
- C. Limitation on Authority within a Class. The Clerk will not accept any original application for filing, if the telecommunications provider seeking authority currently holds authority in the same class (e.g. no CAP can file an application to provide service as a CAP, although it may seek authority as a CSR).