

CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.

Subchapter N. PAY TELEPHONE SERVICE.

§26.345. Posting Requirements for Pay Telephone Service Providers.

- (a) The pay telephone service (PTS) provider must attach to each instrument a card that provides:
- (1) instructions in English and Spanish for accessing emergency service subject to the conditions contained in subparagraphs (A) and (B) of this paragraph:
 - (A) where E-911 or 911 emergency service is available, the caller must be instructed to dial 911 and the PTS provider must allow E-911 or 911 calls to be outpulsed directly to the Public Service Answering Point at no charge and without requiring a coin or credit card; or
 - (B) where E-911 or 911 is not available, the caller must be instructed to dial "0" and dialing "0" must, at no charge and without requiring a coin or credit card, directly connect the caller with an operator service provider (OSP) that is in compliance with the technical standards set forth in §26.321(b) of this title (relating to 9-1-1 calls, "0-" calls, and End User Choice);
 - (2) instructions for use, including specifically instructions for completion of local and toll calls, access to operator services, access to directory assistance, obtaining refunds, obtaining repair service, registering complaints at a designated toll-free telephone number, reporting out-of-service conditions, and using one-way calling (if the instrument is so equipped); and
 - (3) notice stating the name, address, and ten digit telephone number for the pay telephone owner or agent providing the set, and providing the name and toll-free telephone number of the owner or agent responsible for refunds and repairs; the PTS provider shall maintain current information on the placard at all times and shall notify the commission in writing of any changes to the business telephone number of the pay telephone owner, or changes of the physical address from which the pay telephone owner operates, within thirty calendar days of such change; and
 - (4) if an extension has been attached, a notice that legibly and conspicuously states in capital letters: "YOUR CONVERSATION MAY BE OVERHEARD BECAUSE AN EXTENSION TELEPHONE IS ATTACHED TO THIS PHONE LINE."; and
 - (5) a placard that clearly states the fee for completing a local call from that telephone.
- (b) PTS providers must also attach to each instrument a card that says: "The long distance carrier serving this phone is {insert name of the pre-subscribed long distance telecommunications service provider}. You can learn what its rates are by calling {insert long distance telecommunications service providers' toll-free rate information phone number} at any hour at no cost to you. If you would rather use another long distance carrier, you can either use {insert name of incumbent local exchange provider}'s operator by calling {insert dialing directions here}, or use your own long distance carrier by following its dialing instructions or asking the operator for assistance."
- (c) If the PTS provider subscribes to the services of an operator service provider (OSP) that is required to comply with Subchapter M of this chapter (relating to Operator Services), the PTS provider remains liable for compliance with this section, but may coordinate with the OSP so that information to be provided at the pay telephone set is not duplicated. If the PTS provider uses automated call completion technology to complete some operator service calls and subscribes to the services of an OSP that is required to comply with Subchapter M of this chapter, the PTS provider must ensure that the information provided at the pay telephone set clearly informs the caller about which information applies to which operator service calls.
- (d) If a pay telephone cannot receive incoming calls, the PTS provider shall place in a conspicuous location on the pay telephone a notice, in letters one-quarter inch high, stating, "THIS TELEPHONE CANNOT RECEIVE TELEPHONE CALLS." Furthermore, the PTS provider shall not display the number of the pay telephone on any such telephone that does not receive incoming calls.

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- (e) The requirements of this subsection do not apply to pay telephones accessible to inmates of confinement facilities.
- (f) **Applications for modification of information to be provided at the pay telephone set.** The commission may approve applications for modification of the requirements contained in subsection (b) and (c) of this section upon showing of good cause by the PTS provider. The commission shall process applications for modification using the criteria and procedures set forth in §26.317(c) of this title (relating to Information to be Provided at the Telephone Set).