



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

September 11, 1997

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CAMBRIDGE MA.

D.P.U. 97-88/97-18 (Phase II)

Investigation by the Department of Public Utilities on its own motion regarding (1) implementation of Section 276 of the Telecommunications Act of 1996 relative to Public Interest Payphones, (2) Entry and Exit Barriers for the Payphone Marketplace, (3) New England Telephone and Telegraph Company d/b/a NYNEX's Public Access Smart-pay Line Service and (4) the rate policy for operator services providers.

On April 14, 1997 and September 2, 1997, the Department of Public Utilities ("Department") opened an investigation to examine issues relating to pay telephone service. The Department has determined that it will investigate issues relating to NYNEX's Public Access Smart-pay Line ("PASL") service, the removal of barriers to entry and exit in the pay telephone market, the establishment and financing of public interest pay telephones throughout Massachusetts, and the rate policy applicable to operator services providers that offer OSP services at aggregator locations, such as payphones, hotels, and inmate/correctional facilities.

The Department will conduct a public hearing and a procedural conference on September 25, 1997 at 10 a.m., at the Department's offices, 100 Cambridge Street, Room 1210, Boston, Massachusetts. Any person who desires to participate in this proceeding must file an original and two copies of a written petition for leave to intervene or to participate in the proceeding with Mary L. Cottrell, Secretary, Department of Public Utilities, Leverett Saltonstall Building, 100 Cambridge Street, Room 1210, Boston, Massachusetts 02202 not later than the close of business (5:00 p.m.) on September 18, 1997. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt

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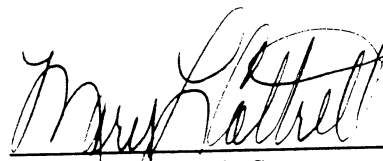
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by the Department -- not mailing -- constitutes filing and determines whether a petition has been timely filed. To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

The Department intends, to the extent possible, to complete its investigation into possible barriers to entry and exit for payphone providers, and any other Department requirements for payphone providers that may be inconsistent with Section 276(c) of the Telecommunications Act of 1996 (the "Act"), by October 7, 1997, as required by the Federal Communications Commission. See Implementation of Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CC Docket Nos. 96-128 and 91-35, Report and Order at ¶¶49, 51, 60 ("Payphone Order"); Order on Reconsideration, FCC 96-439, released November 8, 1996 ("Reconsideration Order"); and 47 C.F.R. § 64.1330(a), (b). To facilitate completion of this examination by October 7, 1997, the Department is requesting comments from interested persons concerning existing Department requirements for payphone providers that may constitute barriers to entry or exit. Persons interested in commenting may obtain a copy of the questions and information on the comment deadlines by contacting the Department's Secretary, Mary Cottrell, at (617) 305-3500.

By Order of the Department,


Mary L. Cottrell, Secretary

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By Order of the Department,



Mary L. Cottrell, Secretary

Communicatin was received from the Department of Public Utilities, transmitting notice of a public hearing September 25, 1997 at 10:00 a.m. at 100 Cambridge Street, Room 1210, Boston, MA regarding implementation of Section 276 of the Telecommunications Acts of 1996 relative to Public Interest Payphones; Entry and Exit Barriers for the Payphone Marketplace; New England Telephone and Telegraph Company d/b/a NYNEX's Public Access Smart-pay Line Service and the rate policyt for operator services providers.

In City Council September 22, 1997

*Referred to the
City Manager*

*Copy
sent*

9-24-97

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