

**CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.**

**Subchapter M. OPERATOR SERVICES.**

**§26.315. Requirements for Dominant Certificated Telecommunications Utilities (DCTUs).**

- (a) **Validation information.** Each DCTU shall make validation information (e.g., DCTU calling card numbers, whether an access line is equipped with billed number screening, or whether an access line is a pay telephone) available to any interexchange carrier requesting it on the same prices, terms, and conditions that the DCTU provides the service to any other interexchange carrier. The DCTU may comply with the requirements of this paragraph by providing its own database, making arrangements with another DCTU to provide the information, or making arrangements with a third-party vendor.
- (b) **Billing and collection services.** Each DCTU shall offer billing and collection services, pursuant to subsection (c) of this section, to any interexchange carrier requesting it on the same prices, terms, and conditions that the DCTU provides the services to any other interexchange carrier.
- (c) **Validation requirements.** If validation information is available for calls that the interexchange carrier (or a third-party billing and collection agent operating on behalf of the interexchange carrier) will bill through the DCTU, the interexchange carrier is required to validate the call and is allowed to submit the call for billing only if the call was validated. To insure that only validated collect calls are billed, the DCTU shall:
  - (1) Establish edits in the DCTU's current billing system to insure that calls less than five minutes in duration, and total charges for that call exceed \$35, are not billed; or
  - (2) For charges that appear on the retail consumer's monthly billing statement, establish internal processes to track retail consumer complaints for each billing month for each third party entity. For any third party entity with complaints that exceed a threshold of 0.5% of all records billed for the billing month in which the report is generated, the DCTU shall initiate a proceeding with the commission to determine whether the billing and collection agreement should be terminated by commission order. In conjunction with the internal tracking procedures, the DCTU will establish a random, periodic, unannounced audit process whereby the DCTU will audit messages. The audited carrier will be required to provide the DCTU the necessary audit data in a form consistent with DCTU capabilities. The fact an audit has or has not been conducted and/or the DCTU has not previously questioned the charges at issue does not constitute approval or endorsement of charges by the DCTU; and
  - (3) The DCTU shall implement a public education campaign to advise customers of the responsibilities and obligations associated with accepting collect telephone calls. The public education campaign must also inform customers of the DCTU's policies and procedures for contesting unauthorized collect call charges. A DCTU fulfills this requirement if it publishes such information in the customer rights section of the white page directory.
- (d) **Request to access another carrier.** If a DCTU receives a request from a caller to access another carrier, the DCTU shall, using the same prices, terms, and conditions for all carriers, either:
  - (1) transfer the caller to the caller's carrier of choice if facilities that allow such transfer are available and if such transfer is otherwise allowed by law; or
  - (2) instruct the caller how to access the caller's carrier of choice if that carrier has provided the DCTU with the information referred to in §26.319(2) of this title (relating to Access to the Operator of a Local Exchange Company (LEC)).