

CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS PROVIDERS.

Subchapter N. PAY TELEPHONE SERVICE.

§26.347. Fraud Protection for Pay Telephone Service.

- (a) Notwithstanding the provision of §26.319 (1)(C) of this title (relating to Access to the Operator of a Local Exchange Company (LEC)) that would otherwise require notice to interexchange carriers, an operator services provider (OSP) must not bill the pay telephone service (PTS) provider for charges for any call billed to a pay telephone line where the call originated at that pay telephone by use of "1010XXX+0", "1010XXX+01", "950-XXXX", or "1-800" or "1-888" access codes, or where the call(s) originated at that pay telephone and otherwise reached an operator position, if the originating telephone line was subscribed to outgoing call screening and the call was placed after the effective due date of the outgoing call screening service order.
- (b) An OSP or PTS provider that uses automated call completion technology to complete operator service calls must not bill charges for any collect or third number billed call to a PTS provider if the pay telephone line to which the call was billed was subscribed to incoming call screening and the call was placed after the effective due date of the incoming call screening service order.
- (c) Any calls billed through a certificated telecommunications utility in violation of subsections (a) and (b) of this section must be removed from the PTS provider's bill by the certificated telecommunications utility upon identification and verification that the violation occurred. If it is determined that, at the time of the violation, the appropriate incoming or outgoing call screening was available to the OSP or PTS provider that uses automated call completion technology to complete operator service calls at the time of the call, the certificated telecommunications utility may return the charges for said call to the OSP or PTS provider as unbillable.
- (d) Any calls billed directly by an OSP or PTS provider that uses automated call completion technology to complete operator service calls in violation of subsection (a) or (b) of this section must be removed from the PTS provider's bill by the OSP or PTS provider upon identification. The OSP or PTS provider using automated call completion technology to complete operator service calls may request an investigation of such a call by the certificated telecommunications utility serving the pay telephone to which the call was billed. If the certificated telecommunications utility (CTU) determines that the appropriate incoming or outgoing call screening was not available to the OSP or PTS provider using automated call completion technology to complete operator service calls at the time of the call, the OSP or PTS provider may bill the charges for said call to the relevant certificated telecommunications utility.