

“Board” means the Board of Public Utilities.

“Correctional facility” means an institution, including prisons, jails and detention centers, operated by a governmental entity, which is dedicated to the treatment, rehabilitation or confinement of criminal offenders.

“Customer provided pay telephone service” or “CPPTS” means pay telephone service furnished through the resale of a local exchange carrier’s tariffed CPPTS line.

“Customer provided pay telephone service provider” or “CPPTS provider” means the person or entity which is the customer of record which purchases a CPPTS line and is responsible for the pay telephone instrument which offers CPPTS.

“Incumbent local exchange carrier” or “incumbent LEC” means a telecommunications carrier with a Board authorized tariff in effect prior to February 8, 1996 to provide switched local exchange services in the State of New Jersey.

“Local call” means a call within local service areas as identified in incumbent LEC tariffs approved by the Board.

“Operator service provider” or “OSP” means any telecommunications carrier that provides operator-assisted services, including alternate operator service providers.

“Public pay telephone service” or “PPTS” means telephone service provided for the use of the transient public, which includes CPPTS.

“Public pay telephone service provider” or “PPTS provider” means a person or entity who provides PPTS.

“Rate” means the total charge to a consumer for the completion of a call utilizing PPTS service including all surcharges, premises imposed fees and other charges collected from the consumer.

14:10-9.3 Public pay telephone service requirements

(a) PPTS shall provide dial-tone first.

(b) Each PPTS instrument shall allow consumers free access to the following calls, without use of coin or credit cards to originate such calls:

1. Operator calls (“0”);
2. Access to toll-free service, including all 800 numbers and 950 carrier access code numbers;
3. Use of equal access codes, specifically 10XXX or 101XXXX, if applicable, to obtain access to the consumer’s desired provider of operator services;
4. Completion of collect, third party billed, and carrier calling card calls; and
5. Telecommunications Relay Service calls for the hearing disabled.

(c) As 9-1-1 emergency service is available throughout the State, all public telephones, including coin and credit card telephones, both public and private, shall, in addition to the requirements set out in (b) above, be configured to allow a caller to dial and complete a 9-1-1 call without inserting a coin or any other form of payment.

(d) PPTS providers shall prominently display the following information directly on each telephone instrument, in plain view of consumers:

1. The name, address, and toll-free number of the provider of operator services;
2. The name, address and toll-free telephone number of the PPTS provider, including refund information;
3. A clear and precise description of the geographic area served by the LEC and the geographic area served by the presubscribed OSP. That is, that local operator-assisted calls are carried by the LEC, that intrastate operator assisted toll calls within the area code are carried by one OSP, and that intrastate operator-assisted calls outside the area code are carried by a second OSP;
4. Written disclosure that the rates for all operator-assisted calls are available on request, and that consumers have a right to obtain access to the intrastate operator service provider of their choice and may contact their preferred carrier for information on accessing that carrier’s service using that telephone;
5. Dialing instructions that detail the presubscribed operator service provider’s dialing procedures;
6. Dialing instructions for access to the incumbent LEC operator;
7. The Board’s toll-free customer complaint telephone number;
8. The rate for a direct-dialed, coin-generated local call;
9. Notice of the inability to accept incoming calls where PPTS providers prevent such call completion;
10. The telephone number of the PPTS instrument unless the notice requirement contained in (d)9 above is present;
11. Notice of the inability to complete international calls where PPTS providers block such calls; and
12. Instructions on how to access the emergency enhanced 9-1-1 system.

(e) Caller requested rate quotes and alternative carrier access information shall be available to users upon request and free of charge.

(f) PPTS shall have the ability to complete local and intrastate toll calling.

(g) For direct-dialed, coin-generated local calls, PPTS providers may charge a rate no greater than the local coin rate charged by the incumbent LEC providing service in the affected area.

(h) PPTS providers shall make every reasonable effort to repair instruments within 48 hours of notification of a service outage.

(i) Where PPTS providers prevent incoming call completion, said providers shall make arrangements to ensure non-publication of its number in directory listing services offered by the incumbent LEC for each service location.

(j) PPTS providers shall designate and file with the Board, a party within the State of New Jersey responsible for processing refunds to consumers. All refunds shall be in the form of cash or check or a credit on the customer's telephone bill.

(k) The Board or its staff shall investigate the conduct of any PPTS provider following receipt of a customer complaint. The Board shall, after notice and opportunity to be heard in conformance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1, take appropriate action against a PPTS provider, including disconnection of intrastate service to individual PPTS locations experiencing persistent violations, as is necessary to rectify any non-conformance with these rules or to protect the general public interest.

(l) PPTS providers shall not charge for calls that are not completed.

(m) The keypad of each PPTS instrument shall feature both numbers and letters in the standard arrangement typically provided on telephone sets.

14:10-9.4 Additional regulation of customer provided pay telephone service

(a) In addition to the provisions set forth in N.J.A.C. 14:10-9.3, CPPTS providers, as defined in N.J.A.C. 14:10-9.2, are subject to the following:

1. CPPTS providers are permitted to charge end users for directory assistance calls up to a maximum rate equivalent to that rate which the LEC charges the CPPTS provider for directory assistance service;

2. More than one CPPTS instrument may be connected per CPPTS exchange access line, such as behind a PBX or other types of call concentration equipment, provided that such arrangements, ensure user privacy and do not result in inordinate levels of blocking;

3. Extensions of CPPTS exchange access lines are permitted. However, such extensions shall either be technically unable to monitor the CPPTS instrument or the CPPTS provider shall prominently display notice to end users that the CPPTS is subject to monitoring by an extension;

4. A CPPTS Acknowledgment Form shall be filed with the Board. This form shall indicate that CPPTS providers are subject to the rules contained in this subchapter;

5. CPPTS providers shall provide to the Board the address and telephone number of each CPPTS instrument, by location, separated by municipality. Such information shall be submitted to the Board at the time of installation of CPPTS service as part of the CPPTS Acknowledgment Form and as additional instruments are installed. This information will be granted confidential treatment;

6. CPPTS providers shall notify the Board upon disconnection of each CPPTS instrument, on a quarterly basis at the beginning of each calendar quarter, including the location and date of disconnection; and

7. CPPTS providers shall provide a list of all principals of the firm, with the following information:

i. The name, address and telephone number of each principal; and

ii. The percent ownership interest of the principals owning more than five percent.

14:10-9.5 Additional regulation of incumbent local exchange carriers

(a) In addition to the provisions of N.J.A.C. 14:10-9.3, incumbent LECs, as defined in N.J.A.C. 14:10-9.2, are subject to the following:

1. The incumbent LEC shall permit customer retention of telephone numbers that are associated with a customer's incumbent LEC public telephone for use with CPPTS.

2. Each incumbent LEC shall submit quarterly reports of CPPTS installation in their service territories to Board staff. Such report shall include the number of installations and disconnections as well as a list containing the name and address of each CPPTS provider by location. Such list shall indicate CPPTS connections separated by municipality. This information will be afforded confidential treatment.

14:10-9.6 Placement of PPTS

Installation of all PPTS instruments shall be in accordance with any applicable local, municipal, county and State requirements. Upon receipt of a complaint from any authorized local, municipal, county or State official, that a PPTS instrument is in violation of any applicable installation requirement, including, but not limited to, municipal ordinances or State legislation, Board staff shall direct the PPTS provider to comply with such requirements or remove the PPTS instrument within 48 hours. Such removal shall ensure that all necessary repairs are performed so that the street, sidewalk, building, or any other structure where the PPTS may be located, is restored to its exact condition prior to the PPTS installation. The Board shall take action against a PPTS provider to rectify non-conformance with this requirement, as provided in N.J.A.C. 14:10-9.3(k). This section in no way precludes the ability of the affected local government entity or the PPTS provider from seeking available judicial remedies prior to removal.