

Chapter PSC 167

EXTENDED AREA TELEPHONE SERVICE

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PSC 167.01 Purpose. The purpose of this chapter is to set forth requirements for consideration of petitions requesting extended area telephone service and to require customers receiving new extended area service to bear the costs of such service.

History: Cr. Register, July, 1983, No. 331, eff. 8-1-83.

PSC 167.02 Definitions. (1) "Community of interest" means that customers of one exchange have substantial telecommunication requirements with respect to another exchange, as determined by the measurable use of communications services between the exchanges and by such factors as the location of schools, medical services, shopping and civic, cultural and social agencies and organizations and the like.

(1m) "Customer" means a person billed for a class of telephone service. Each billed account within either the business or residential classification, regardless of the number of lines included, shall be considered one customer. A billed account that includes both residential and business services, regardless of the number of lines included, shall be considered 2 customers.

(2) "Extended area telephone service" means telephone service in which customers in one exchange may call customers in another exchange or combination of exchanges without incurring toll charges.

(3) "Metroplan" means the contiguous exchanges in and around Milwaukee currently served by either metroplan or metrozone service as provided by the Wisconsin telephone company tariff, and any future additions thereto.

History: Cr. Register, July, 1983, No. 331, eff. 8-1-83; CR 00-138: cr. (1m), Register September 2001 No. 549, eff. 10-1-01.

PSC 167.03 Petition; contents. (1) A petition for extended area telephone service shall be filed with the commission and shall contain:

- (a) The name of the telephone utility serving the petitioners' exchange;
- (b) The name of the telephone utility serving the exchange or exchanges with which extended area service is desired;
- (c) The name, address and telephone number of a representative selected by the petitioners to whom notices, orders, and other correspondence may be sent;
- (d) The name, address, telephone number and signature of each petitioner. There shall be no more than one petitioner per billing number. If the petitioner is a business customer, the signature shall be that of an authorized agent or representative;
- (e) A statement that the petitioners desire extended area service for the named exchange or exchanges.

History: Cr. Register, July, 1983, No. 331, eff. 8-1-83.

PSC 167.04 Petition; procedural provisions; challenge. (1) The representative designated in the petition shall certify that the signatures on the petition are valid.

(2) Petitioners shall serve a copy of the petition on the telephone utility serving their exchange and on the telephone utility serving the exchange or exchanges with which extended area telephone service is requested.

(3) Copies of the petition for extended area telephone service shall be kept on file for inspection during the pendency of the request at the commission and at the telephone utilities.

(4) Any person wishing to challenge the validity of a petition for extended area telephone service may do so by filing a written protest with the commission identifying the grounds for the challenge within 30 days of the filing of the petition.

History: Cr. Register, July, 1983, No. 331, eff. 8-1-83.

PSC 167.05 Petition; criteria for consideration.

(1) The commission shall consider a petition meeting the requirements of s. PSC 167.03 only if the petition is signed by at least 10% of the customers in the exchange from which extended area telephone service is requested.

(2) The commission shall also consider a request for extended area telephone service if submitted by a telephone utility providing service in an exchange for which extended area telephone service is requested. Such a request shall be treated as a petition for purposes of ss. PSC 167.06 to 167.10.

History: Cr. Register, July, 1983, No. 331, eff. 8-1-83.

PSC 167.06 Traffic study. (1) If a petition meets the requirements of s. PSC 167.05, the commission shall direct the utilities involved to undertake a study of representative traffic between the exchanges for which extended area service is requested. To warrant further examination of extended area service, the traffic study must indicate that:

- (a) The customers in at least one of the exchanges place an average of not fewer than 5 messages per month, per customer, to the exchange with which extended area service is requested; and
- (b) 50% of the customers in at least one of the exchanges place not fewer than 3 messages per month to the exchange with which extended area service is requested.

(2) If the criteria of sub. (1) (a) and (b) are not met, the commission shall deny the petition for extended area service. The commission need not consider a petition for extended area service between the same exchanges for 2 years from the date of denial.

(3) The commission may waive or vary the provisions of this section of the rules in special or unusual situations involving requests for extended area service where none of the involved exchanges serves more than 10,000 access lines.

History: Cr. Register, July, 1983, No. 331, eff. 8-1-83.

PSC 167.07 Economic study. (1) If the criteria of s. PSC 167.06 (1) (a) and (b) are satisfied, the commission shall direct the telephone utilities to conduct and submit to the commission an economic study of the requested extended area service. The study shall contain information from which the commission can determine the additional revenue requirement for each exchange necessary to provide the requested service and the rate increments for each class of customer necessary to meet the additional revenue requirement.

(2) Revenue requirements shall be allocated among exchanges in recognition of the ratio or the calling volume data (on a per customer basis) obtained from the traffic studies. In cases where the ratio is greater than 10:1, all revenue requirement shall

generally be allocated to the exchange from which the larger calling volume originates. In cases where one-way service is being considered all revenue requirement shall generally be allocated to the exchange that would be provided with the service.

History: Cr. Register, July, 1983, No. 331, eff. 8-1-83.

PSC 167.08 Customer survey. (1) In this section, “customer” does not include any person who is provided with free local telephone service, or who for any reason would be exempt from a rate increase if extended area telephone service is approved.

(2) (a) Subsequent to the determination of the rate increments necessary to provide the requested extended area service, or a reasonable variation of the requested service, the commission shall direct the utilities to conduct a survey of customer willingness to pay the necessary rate increments.

(b) The survey ballot and accompanying information shall be approved by the commission. Ballots shall be mailed separately from the telephone bill and the words “Ballot Enclosed” shall appear on the front of the mailing. Ballots shall be addressed for return to the commission with no additional postage required. Ballots shall have space for the customer signature, printed name and telephone number. The information accompanying the ballot shall indicate:

1. The number of customers served by the balloted exchange at the time of balloting.
2. The number of “Yes” votes required to move the matter to hearing.
3. The date determined by the commission by which ballots must be postmarked or filed with the commission in order to be considered valid.

(3) (a) Ballots shall be distributed to all customers who may experience a rate increase if the petition for extended area telephone service is granted.

(b) Ballots shall be counted by the commission no earlier than one week after the deadline for the postmark or filing of ballots in sub. (2) (b) 3. Only official ballots shall be accepted. If a ballot is returned unmarked or incomplete, or if, in the commission’s judgment, the intent of the customer is not discernable from a ballot, the ballot shall not be counted as a “Yes” vote. Voting results, including preliminary totals, shall not be released prior to the official counting.

(4) Unless at least 50% of the customers in one of the surveyed exchanges respond favorably to the requested service, or to a variation of the requested service, the petition shall be denied, and the commission need not consider any petition for extended area telephone service between those exchanges for 2 years.

Note: On July 18, 2001, the joint committee for review of administrative rules suspended s. PSC 167.08 (2) [(4)] and that part of s. PSC 167.09 (1) starting with “if” and ending with “increment”.

History: Cr. Register, July, 1983, No. 331, eff. 8-1-83; **CR 00-138: renum. (1) to be (2) (a) and am., cr. (1), (2) (b) and (3), Register September 2001 No. 549, eff. 10-1-01.**

PSC 167.09 Hearing. (1) If at least 50% of the customers in one of the exchanges surveyed in accordance with s. PSC 167.08 respond favorably to the requested extended area service at the proposed rate increment, the commission shall hold a public hearing to consider whether the petition should be granted.

(2) In determining whether to grant or deny the petition for extended area telephone service, the commission shall consider such factors as adequacy of existing telephone service between the exchanges, costs and benefits of the proposed service and community of interest between the exchanges.

History: Cr. Register, July, 1983, No. 331, eff. 8-1-83.

PSC 167.10 Metroplan. If the petition requests Milwaukee metroplan telephone service, the commission may consider the entire metroplan area to which extended area service is requested, or a variation thereof, as one exchange.

History: Cr. Register, July, 1983, No. 331, eff. 8-1-83.