

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

J. CAROL STUECKER )  
 )  
 )  
 ) COMPLAINT )  
 vs. ) CASE NO. 96-615 )  
 )  
 ) BELLSOUTH TELECOMMUNICATIONS, INC. )  
 )  
 ) DEFENDANT )

O R D E R

On December 17, 1997, J. Carol Stuecker ("Complainant") filed with the Commission a formal Complaint alleging that BellSouthTelecommunications, Inc. ("BellSouth") has unfairly and unjustly refused to provide Stuecker & Associates, Inc. ("Stuecker & Associates") per-line blocking of Caller ID. Stuecker & Associates provides domestic violence and other serious interventions for employees of its clients. According to the Complaint, the denial of per line blocking exposes its employees and volunteers to safety hazards that arise from the nature of their work.

BellSouth states it does not provide this service to Stuecker & Associates based upon its tariff, which provides per-line blocking to, inter alia, "non-profit, tax exempt, private and public social welfare agencies such as domestic violence intervention agencies."<sup>1</sup> Stuecker & Associates is not a non-profit agency.

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<sup>1</sup> General Subscriber Services Tariff of BellSouth Telecommunications, Inc., A13.19.3A.8.

BellSouth argues that its tariff should not be revised to include for-profit agencies. In support of its position, it has tendered several documents including the testimony of John F. Dorsch filed on its behalf in Case No. 91-218.<sup>2</sup> Mr. Dorsch's testimony supports the general proposition that per-line blocking of Caller ID should be available on a limited basis. However, Mr. Dorsch's testimony indicates that agencies such as Stuecker & Associates demonstrate a need for blocking, regardless of whether they are operated for profit:

Groups such as law enforcement, violence intervention agencies and homes for abused spouses certainly have a general need for anonymity in order to perform their work safely. In order to accommodate them, South Central Bell has offered to block all calls from designated lines for these kinds of groups in which safety may be jeopardized by number delivery.<sup>3</sup>

These safety concerns, which justify per-line blocking, do not change if the organization involved in crisis intervention is operated for profit. It is therefore unfair and discriminatory to deprive the employees and volunteers of such agencies of the protection of per-line blocking. Moreover, neither the Commission in Case No. 91-218, which set the parameters on the availability of per-line blocking of Caller ID in Kentucky, nor the settlement agreement approved in that case, distinguishes between crisis intervention agencies based on non-profit status. Accordingly, BellSouth should revise its tariff to delete the qualifying adjectives "non-profit" and "tax exempt" from its

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<sup>2</sup> Case No. 91-218, The Tariff Filing of South Central Bell Telephone Company to Introduce Caller ID.

<sup>3</sup> Testimony of John F. Dorsch, Case No. 91-218, at 3.

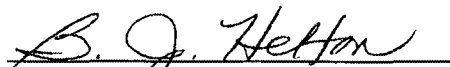
description of those agencies, such as domestic violence intervention agencies, which may request per-line blocking.

As a final matter, the Commission notes that the Complainant has filed a motion to dismiss her Complaint without prejudice on the grounds that [1] she is discussing partial solutions with BellSouth and [2] she lacks further time, personnel, and financial resources to commit to this matter. Because the Commission determines herein that the relief requested in the Complaint should be granted, Complainant's motion to dismiss is moot.

The Commission being sufficiently advised, IT IS THEREFORE ORDERED that BellSouth shall, within 10 days of the date of this Order, file the tariff revisions described herein.

Done at Frankfort, Kentucky, this 5th day of December, 1997.


PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director