

CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.

Subchapter F. REGULATION OF TELECOMMUNICATIONS SERVICE.

§26.124. Pay-Per-Call Information Services Call Blocking.

- (a) **Free blocking.** Within 90 days of being declared a dominant carrier, all dominant certificated telecommunications utilities (DCTUs) are required, upon request from the end user only, to block access to all pay-per-call information services when a call is placed to a 1-900-XXX-XXXX or 976-XXXX number. There will be no charge to the end user for the first blocking request when pay-per-call information service blocking is first installed on the end user's line. However, there may be a non-recurring charge applicable for subsequent blocking requests, if prior blocking has been removed and is being reinstated.
- (b) **Subscription to blocking.**
- (1) **End users not currently receiving blocking.** To restrict access to pay-per-call information services, end users must order blocking either orally or by using a written ballot. Within 60 days of being declared a DCTU, each DCTU must notify its end users of the free blocking opportunity and send a post-paid ballot to all existing end users (either through bill inserts or a separate mailing) allowing them to choose whether they want to restrict access to pay-per-call information services.
 - (2) New end users must be offered free blocking of pay-per-call information service calls at the time of their service order. There will be no charge to the end user for the first blocking request, but there may be a non-recurring charge applicable for subsequent blocking requests.
 - (3) End users electing not to restrict access to pay-per-call information services will have access to all 900 and 976 pay-per-call information services available in their service area.
- (c) **Mandatory blocking.** In areas where restricting access to pay-per-call information services on a selective, per-line basis is not technically possible, all access to the pay-per-call information services must be blocked.
- (1) End users whose access to pay-per-call information services is blocked pursuant to this provision shall be notified prior to the time of the blocking that such blocking will take place, the fact that such blocking is being done pursuant to this section, and that such blocking is required due to the fact that restriction of access to such services is not technically possible at that time.
 - (2) Once an area that has been mandatorily blocked attains the technological capability to provide per-line blocking, the DCTU shall provide the notice and balloting procedures set out in subsections (a) and (b) of this section. A blocking request from the end user received thereafter by the DCTU shall be treated as an initial blocking request and implemented without charge.
- (d) **Disconnection.** A DCTU may not disconnect an end user's local telephone service for nonpayment of charges for pay-per-call information service. A DCTU may implement involuntary blocking of pay-per-call information service for nonpayment of charges for pay-per-call information service.
- (e) **Compliance.** Each DCTU that is subject to rate of return regulation under Public Utility Regulatory Act, Chapter 53 shall file tariffs in compliance with this section. The compliance tariffs will be reviewed by staff. Within 35 days of the date of filing of the tariffs, the tariffs will either be approved or the effective date of the tariff will be suspended for further review.