

CHAPTER 7815
PUBLIC UTILITIES COMMISSION
COMMUNITY CALLING PLANS

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7815.0100 DEFINITIONS.

Subpart 1. **Scope.** In addition to the applicable definitions in Minnesota Statutes, sections 237.01 and 237.02 and part 7810.0100, the following definitions apply to this chapter.

Subp. 2. **Commission.** “Commission” means the Public Utilities Commission.

Subp. 3. **Community calling plan.** “Community calling plan” means an optional service that allows the origination of toll calling at a fixed charge for an initial block of time per billing period and a unit charge for increments of time in a billing period beyond the initial block. A community calling plan may be proposed by a telephone company on its own initiative or after a petition by customers or upon an order from the Public Utilities Commission after public meeting.

Subp. 4. **Extended area service.** “Extended area service” means interexchange calling for which a message toll charge is not assessed.

Statutory Authority: *MS s 237.06; 237.10; 237.12; 237.16*

7815.0200 PURPOSE AND AUTHORITY.

It is hereby declared to be in the public interest that the Public Utilities Commission adopt rules to govern interexchange calling within the state of Minnesota in order to provide the flexibility required to meet the needs of the customers who reside within the various telephone exchanges; to reflect the geographical boundaries of individual customer calling patterns; to reflect the individuals’ community of interest; to offer customers fair and economical rates consistent with the customers’ needs; and to most efficiently utilize telephone facilities. These rules are adopted pursuant to the commission’s rulemaking authority found in Minnesota Statutes, section 237.10, and the commission’s authority to require telephone companies to charge just and reasonable rates and to furnish reasonably adequate service and facilities, Minnesota Statutes, section 237.06; to regulate the connection and disconnection between the exchange of one telephone company and the toll lines of another telephone company, Minnesota Statutes, section 237.12; and to regulate the construction of duplicating lines or equipment used for local, rural, or toll telephone service, Minnesota Statutes, section 237.16.

Statutory Authority: *MS s 237.06; 237.10; 237.12; 237.16*

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7815.0300 PETITION FOR COMMUNITY CALLING PLAN.

Customers in an exchange who desire a community calling plan shall file a petition with the Department of Commerce. A copy of the petition shall be served on the telephone company which serves that exchange. The petition shall be on a form supplied by the department. Blank forms shall be available from the department and in the offices of all telephone companies. The petition shall include:

- A. the name of the telephone company that serves the exchange;
- B. the name of the exchange and the principal city in the exchange;

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C. the name, address, and telephone number of the person representing petitioners to whom correspondence and commission orders shall be sent;

D. the name, address, and telephone number of each person signing the petition; and

E. a statement that the signing customers request the community calling plan for their exchange.

The petition shall be signed by 15 percent or more of the customers or 200 customers, whichever is less, in the petitioning exchange. There shall be only one signature per customer account. In the case of a business customer, a duly authorized agent or representative must sign. The sponsor of the petition shall certify that the signatures on the petition are valid and comply with parts 7815.0300 to 7815.0600.

Statutory Authority: *MS s 237.06; 237.10; 237.12; 237.16*

History: *L 2001 ISP4 art 6 s 1*

7815.0400 FILING OF TARIFF.

Within 30 days of service of the petition, the telephone company serving the exchange shall file with the commission a tariff that contains a community calling plan suitable to meet the needs of the petitioning exchange. The telephone company may request that the tariff be effective immediately on commission approval. The tariff shall be reviewed by the commission as a miscellaneous tariff filing. A telephone company may initiate a community calling plan without being petitioned by filing a tariff that complies with parts 7815.0500 and 7815.0600. The tariff shall be reviewed by the commission as a miscellaneous tariff filing.

Statutory Authority: *MS s 237.06; 237.10; 237.12; 237.16*

7815.0500 CONTENTS OF PLAN.

The community calling plan shall provide during each billing period for an initial block of time and increments thereof at a rate below the rate that would occur for the existing toll schedule. The community calling plan shall not exceed 40 miles in radius, as measured between central basing points, i.e., the vertical and horizontal coordinates of rate centers and exchanges in each exchange, unless the commission finds in writing that the public need requires or that the community of interest exists in an area with a larger radius. If the central basing point is within the radius described here, all of the exchange shall be included in the community calling plan. The community calling plan shall not be limited to a specific direction, unless the commission finds in writing that the public need requires or the community of interest is limited to less than a 360-degree arc, but exchanges located within 40 miles of a metropolitan district central basing point may be offered a point-to-point calling plan. "Metropolitan district" means the exchange service areas for Duluth, St. Paul-Minneapolis, Rochester, or St. Cloud, as found on the service area maps filed at the department. "Point-to-point" means calling central basing points in less than a 360-degree arc. The community calling plan shall apply to residential and business customers. The commission shall authorize different rates for residential and business customers if the commission finds it just and reasonable based upon the existing rate relationship between the two classes of service.

Statutory Authority: *MS s 237.06; 237.10; 237.12; 237.16*

7815.0600 SETTLEMENT AGREEMENTS.

Settlement agreements between Northwestern Bell Telephone Company and all operating telephone companies that settle on a cost basis shall be revised to recognize the level of revenue generated by each message which qualifies for the community calling plan. The commission shall review each revised settlement agreement to determine whether the agreement accurately reflects the revenue impact of the community calling plan upon the telephone companies involved and approve those

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agreements which are just and reasonable. In determining whether an agreement is just and reasonable, the commission shall consider:

- A. duration of qualifying messages;
- B. number of qualifying messages;
- C. expenses related to processing qualifying messages;
- D. length of haul of qualifying messages; and
- E. revenues generated by qualifying messages.

Statutory Authority: *MS s 237.06; 237.10; 237.12; 237.16*

7815.0700 [Repealed, L 1994 c 534 art 1 s 13]

7815.0800 [Repealed, L 1994 c 534 art 1 s 13]

7815.0900 [Repealed, L 1994 c 534 art 1 s 13]

7815.1000 [Repealed, L 1994 c 534 art 1 s 13]

7815.1100 [Repealed, L 1994 c 534 art 1 s 13]

7815.1200 [Repealed, L 1994 c 534 art 1 s 13]

7815.1300 [Repealed, L 1994 c 534 art 1 s 13]

7815.1400 [Repealed, L 1994 c 534 art 1 s 13]

7815.1500 [Repealed, L 1994 c 534 art 1 s 13]