

**RULES  
OF  
THE TENNESSEE PUBLIC UTILITY COMMISSION**

**CHAPTER 1220-04-02  
REGULATIONS FOR TELEPHONE COMPANIES**

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**1220-04-02-.01 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Repealed by Public Chapter 440; effective July 1, 1985. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

**1220-04-02-.02 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Repealed by Public Chapter 440; effective July 1, 1985. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

**1220-04-02-.03 DEFINITIONS.**

- (1) In the interpretations of these rules, the following definitions shall be used:
- (a) Commission - The Tennessee Public Utility Commission.
  - (b) Average Busy Season-Busy Hour Traffic - The average traffic volume for the hour having the highest traffic volume throughout the busy season.
  - (c) Basis Rate Area - The developed portion of portions within each exchange service area as set forth in the telephone utility’s tariffs, maps or descriptions. Main Station service within this area is furnished at uniform rates without extra exchange miles charges.
  - (d) Busy Hour - The two (2) consecutive half-hours during which the greatest volume of traffic is handled in the office.

(Rule 1220-04-02-.03, continued)

- (e) Busy Season - That period of the year during which the greatest volume of traffic is handled in the office.
- (f) Calls - Customer's telephone message attempted.
- (g) Class of Service - The various categories of service generally available to customers, such as business or residence.
- (h) Central Office - A switching unit, in a telephone system which provides service to the general public, having the necessary equipment and operating arrangements for terminating and inter-connecting subscriber lines and trunks or trunks only. There may be more than one central office in a building.
- (i) Customer or Subscriber - Any person, firm partnership, corporation, municipality, cooperative organization, governmental agency, etc., provided with telephone service by any telephone utility.
- (j) Customer Trouble Report - Any oral or written report from a subscriber or user of telephone service relating to a physical defect or to difficulty or dissatisfaction with the operation of telephone facilities. One report shall be counted for each oral or written report received even though it may duplicate a previous report or merely involve an inquiry concerning progress on a previous report. Also, a separate report shall be counted for each telephone or PBX switchboard position reported in trouble when several items are reported by one customer at the same time, unless the group of troubles so reported is clearly related to a common cause.
- (k) Exchange - A unit established by a telephone utility for the administration of telephone service in a specified area which usually embraces a city, town, or village and its environs. It consists of one or more central offices together with associated plant used in furnishing communication service in that area.
- (l) Reserved
- (m) Grade of Service - The number of parties served on a telephone line such as one-party, two-party, four-party, etc.
- (n) Message - A completed customer telephone call.
- (o) Outside Plant - The telephone equipment and facilities installed on, along, over, or under streets, alleys, highways, or on private right-of ways between the central office and customer's locations or between central offices.
- (p) Service Line - Those facilities owned and maintained by a customer or group of customers, which lines are connected at an agreed upon point with the facilities of a telephone utility for communication service.
- (q) Subscriber Line - The wires or channels used to connect the telephone equipment at the subscriber's premises with the Central office.
- (r) Switching Service - Switching performed for service lines.
- (s) Tariff - The entire body of rates, tolls, charges, classifications and rules, adopted and filed with the Commission by a telephone utility.

(Rule 1220-04-02-.03, continued)

- (t) Telephone Utility - Any person, firm, partnership, corporate organization, or corporation engaged in the furnishing of telephone service and other Communications Services to the public under the jurisdiction of the Commission.
- (u) Toll Connecting Trunks - A general classification of trunks carrying toll traffic and ordinarily extending between a local office and a toll office except trunks classified as tributary circuits.
- (v) Toll Station - A telephone connected to a toll line or directly to a toll board.
- (w) Reporting Entity - Shall be defined as exchange for:
  - 1. Installation of service (1220-04-02-.35).
  - 2. Customer trouble reports (1220-04-02-.39).
  - 3. The other reporting areas shall be reported under this section by districts. The reason for the two (2) exemptions is that the current districts have several reporting areas which cannot be pinpointed. The company has no way to monitor these exemptions by exchanges.

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule certified May 9, 1974. Amendment filed August 18, 1982; effective September 17, 1982. Amendment by Public Chapter 440; effective July 1, 1985. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

#### **1220-04-02-.04 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

#### **1220-04-02-.05 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

#### **1220-04-02-.06 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective

(Rule 1220-04-02-.06, continued)

March 28, 2003. *Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.*

**1220-04-02-.07 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. *Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.*

**1220-04-02-.08 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. *Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.*

**1220-04-02-.09 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. *Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.*

**1220-04-02-.10 REPEALED.**

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule certified May 9, 1974. Amendment filed August 18, 1982; effective September 17, 1982. *Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.*

**1220-04-02-.11 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. *Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.*

**1220-04-02-.12 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.13 REPEALED.**

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule certified May 9, 1974. Amendment filed August 18, 1982; effective September 17, 1982. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.14 REPEALED.**

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule certified May 9, 1974. Amendment filed August 18, 1982; effective September 17, 1982. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.15 REPEALED.**

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule certified May 9, 1974. Amendment filed August 18, 1982; effective September 17, 1982. Amendment filed November 9, 1984; effective December 9, 1984. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.16 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.17 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.18 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.19 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.20 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.21 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.22 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references

(Rule 1220-04-02-.22, continued)

were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.23 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.24 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.25 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.26 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.27 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.28 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to

(Rule 1220-04-02-.28, continued)

*“Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.*

**1220-04-02-.29 REPEALED.**

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule certified May 9, 1974. Amendment filed August 18, 1982; effective September 17, 1982. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.30 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.31 REPEALED.**

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule certified May 9, 1974. Amendment filed August 18, 1982; effective September 17, 1982. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.32 REPEALED.**

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule certified May 9, 1982. Amendment filed August 18, 1982; effective September 17, 1982. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.33 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.



**1220-04-02-.34 REPEALED.**

**Authority:** T.C.A. §§ 65-202, 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule certified May 9, 1982. Amendment filed August 18, 1982; Effective September 17, 1982. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.35 REPEALED.**

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule certified May 9, 1974. Amendment filed August 18, 1982; effective September 17, 1982. Amendment filed March 31, 1987; effective June 29, 1987. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.36 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule filed February 2, 1976; effective March 3, 1976. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.37 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule filed February 2, 1976; effective March 3, 1976. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.38 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule filed February 2, 1976; effective March 3, 1976. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.39 REPEALED.**

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule certified May 9, 1974. Amendment filed February 2, 1976; effective March 3, 1976. Amendment filed August 18, 1982; effective September 17, 1982. Amendment filed March 31, 1987; effective June 29, 1987.

(Rule 1220-04-02-.39, continued)

*Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; "Tennessee Regulatory Authority" references were changed to "Tennessee Public Utility Commission," "Authority" references were changed to "Commission," "Authority Director" references were changed to "Commissioner," and "Chief" references were changed to "Director." Repeal filed January 15, 2025; effective April 15, 2025.*

**1220-04-02-.40 OBLIGATIONS OF RESELLERS AND UNDERLYING CARRIERS OF LOCAL SERVICE UPON THE TERMINATION OF SERVICE.**

- (1) The purpose of this rule is to protect those customers who are obtaining their local service from resellers from termination of their service without adequate notice. Because of the public safety implications, local service providers shall have additional obligations as listed below.
- (2) This rule applies to any local telecommunications reseller that ceases the provision of any telecommunications service in all or any portion of the State of Tennessee. This rule does not apply to:
  - (a) Cessation of a service when a reseller replaces the terminated service with comparable service without interruption as long as such change is in compliance with Rule 1220-04-02-.56; and
  - (b) Discontinuance of a service that has no subscribers.
- (3) No underlying carrier shall terminate local service to a reseller until the following requirements are met:
  - (a) The underlying carrier shall provide no less than thirty (30) days written notice to the reseller that service will be terminated on a date certain along with the reason(s) for such action. A copy of such written notice shall be timely provided to the Commission.
    1. Notwithstanding the above, where the underlying carrier alleges fraud, abuse, or unreasonable interference with the underlying carrier's network, the underlying carrier is allowed to disconnect the reseller after a two (2) business day notice to the Commission, unless the Commission chairman specifically orders otherwise prior to disconnection. If this emergency provision is invoked, the underlying carrier may be required to comply with the underlying carrier's service continuity plan per section (5).
  - (b) Within ten (10) days of receipt of the underlying carrier's written disconnection notice to the reseller, the reseller shall notify its customers advising that their service will be terminated on a day certain. Such notice shall be no less than fourteen (14) days prior to the date of disconnection. The notice shall advise end-users of the following:
    1. Advise its customers of the need to choose another local telecommunications service provider to continue service after a date certain; and
    2. Provide customers any and all relevant information, if available, that may assist the customers in selecting another local telecommunications service provider.
  - (c) If the reseller fails to fulfill its obligations under section (3)(b), the Commission will notify the reseller's customers seven (7) days prior to termination of the reseller's local service and recover costs associated with such a notice from the reseller.
- (4) Additional Local Service Obligations for Resellers:

(Rule 1220-04-02-.40, continued)

- (a) The reseller must provide the Commission and the underlying carrier any and all relevant information, including but not limited to its customers' names and telephone numbers to ensure that end-user customers will not experience service outage. The reseller must use its best efforts to provide timely and accurate information to the Commission and the underlying carrier.
  - (b) The reseller must file with the Commission a copy of its notice or the text of the voice message to its customers no less than fourteen (14) days prior to the date of disconnection.
  - (c) The reseller shall refund to its customers any credits due as a result of the termination of service within thirty (30) days of the termination of the service. The reseller shall provide information to its customers on how such credits will be determined and distributed.
- (5) Additional Local Service Obligations for Underlying Carriers:
- (a) Within 60 days of the effective date of this rule, each telecommunications service provider having an agreement with a reseller of basic local exchange telecommunications service shall file a tariff which outlines a service continuity plan consistent with this Chapter and, at a minimum, contains the following provisions.
    - 1. The underlying carrier shall provide basic local exchange service, as defined in Tenn. Code Annotated § 65-5-108, to the customers of the reseller for at least seven (7) days following disconnection of the reseller's service, or until the customer selects another provider of local service, whichever is less. If a customer selects a new service provider, the underlying carrier may pass through to the new provider the charge for such service provided at the tariffed rate of the underlying carrier. The new provider may pass through this charge to the end-user customer.
    - 2. After the seven day period described in paragraph (1) above, the underlying carrier may terminate service to the customer unless the customer has either transitioned to a new service provider or has placed an order to transition to the underlying carrier.
  - (b) Should the reseller fail or refuse to provide notice to its customers as required in (3) above, the underlying carrier shall provide reasonable assistance to the Commission in notifying the customers of the reseller.
- (6) Violation of this rule, including failure to provide customer notice in (3), shall be subject to the provisions and penalties of Tenn. Code Ann. § 65-4-120.

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, 65-4-123 and 65-4-125. **Administrative History:** Original rule certified May 9, 1974. Repealed by Public Chapter 440; effective July 1, 1985. Original rule filed December 5, 2006; effective February 18, 2007. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; "Tennessee Regulatory Authority" references were changed to "Tennessee Public Utility Commission," "Authority" references were changed to "Commission," "Authority Director" references were changed to "Commissioner," and "Chief" references were changed to "Director."

#### **1220-04-02-.41 REPEALED.**

**Authority:** T.C.A. § 65-2-102. **Administrative History:** Original rule certified May 9, 1974. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; "Tennessee Regulatory Authority" references were changed to "Tennessee Public Utility Commission," "Authority"

(Rule 1220-04-02-.41, continued)

*references were changed to "Commission," "Authority Director" references were changed to "Commissioner," and "Chief" references were changed to "Director." Repeal filed January 15, 2025; effective April 15, 2025.*

#### **1220-04-02-.42 REPEALED.**

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, and 65-4-106. **Administrative History:** Original rule filed October 20, 1983; effective January 16, 1984. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; "Commission" and references to the "Commission" were changed to "Authority" and references to the "Authority"; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; "Tennessee Regulatory Authority" references were changed to "Tennessee Public Utility Commission," "Authority" references were changed to "Commission," "Authority Director" references were changed to "Commissioner," and "Chief" references were changed to "Director." Repeal filed January 15, 2025; effective April 15, 2025.

#### **1220-04-02-.43 AUTHORIZATION TO OPERATE A PUBLIC PAY TELEPHONE SERVICE.**

- (1) Every owner or prospective owner, who is not a public telephone company certified by this Commission in accordance with T.C.A. § 65-4-291, of a public pay telephone instrument located in the state of Tennessee connected with or to be connected with the public network shall submit a petition for authorization to provide public pay telephone service to the Commission accompanied by the fee provided for in T.C.A. § 65-2-103. Each company or individual operating a public pay telephone service prior to July 1, 1990 and required to be authorized by this rule shall submit one petition for authorization to include all existing public pay telephone locations owned or operated by said company or individual. All petitions submitted after July 1, 1990 shall be to authorize each public pay telephone service instrument.
- (2) All owners, other than certified public telephone companies, of public pay telephone instruments connected to the public network by the effective date of this rule shall have until July 1 of the year in which this rule goes into effect to submit the petition required by section (1) of this rule. Public pay telephone service to commence or to be reconnected to the network after this date shall not be authorized for service until all the requirements of rules governing public pay telephone service are met.
- (3) Public pay telephone service shall mean the resale of local service and/or intrastate toll telephone service through customer or telephone company provided equipment which are coin-operated or coinless and whose calls are sent paid or non-sent paid.

**Authority:** T.C.A. §§ 65-2-102, 65-4-101, and 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; "Commission" and references to the "Commission" were changed to "Authority" and references to the "Authority"; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; "Tennessee Regulatory Authority" references were changed to "Tennessee Public Utility Commission," "Authority" references were changed to "Commission," "Authority Director" references were changed to "Commissioner," and "Chief" references were changed to "Director."

#### **1220-04-02-.44 DATA REQUIRED FOR AUTHORIZATION.**

- (1) In addition to the receipt of a valid filed petition for authorization, the Commission shall require the submission of relevant data and owner certifications on forms supplied by the Commission concerning the operation of a public pay telephone service.
- (2) The following data relating to the entity owning or operating the public pay telephone service shall be submitted prior to authorization:

(Rule 1220-04-02-.44, continued)

- (a) The name, address and telephone number of the individual owner or the responsible individual with the entity which owns the instrument.
  - (b) Information about the structure of the business organization owning the instrument and where applicable, a copy of any Articles of Incorporation, Partnership Agreement or By Laws of any corporation owning the instrument and a copy of a license to do business in Tennessee.
  - (c) An up-to-date financial statement for the individual or entity operating the pay telephone service which includes a statement indicating revenues and expenses.
  - (d) The name, address, and telephone number of a Tennessee contact person responsible for and knowledgeable about the instrument or instruments.
  - (e) Repair and maintenance information including the name, local address, telephone number, and qualifications of the individual or company responsible for servicing the instrument(s) and supplying refunds.
  - (f) A copy of the display card to be posted on the pay instrument which contains operating instructions and other required disclosures.
- (3) The following data relative to the particular pay telephone instrument shall be submitted prior to authorization:
- (a) A description of the instrument including the name and telephone number of the manufacturer, the model and FCC registration number, and the precise location by address and telephone number of the instrument.
  - (b) Identification of the local exchange telephone company (LEC), the interexchange carrier, and reseller or alternate operator service serving the instrument.

**Authority:** T.C.A. § 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

#### **1220-04-02-.45 CERTIFICATIONS REQUIRED FOR AUTHORIZATION.**

- (1) To insure uniformity throughout the state with regard to the provision of pay telephone service to the public, the owner or operator of a public pay telephone service seeking authorization to operate a pay telephone service shall agree to abide by the following terms and conditions:
- (a) The following calls shall be provided without depositing money and free of charge to the customer: calls to the local exchange operator; 911 or emergency numbers; local and intrastate directory assistance numbers; toll-free and 800 service numbers; pay phone repair and refund numbers; and interexchange access numbers.
  - (b) Local call charges shall not exceed the amount authorized by the Commission for a local call from pay telephones operated by the LEC serving the area in which the pay telephone is located.

(Rule 1220-04-02-.45, continued)

- (c) The public pay telephone shall provide the following: two-way calling capability (unless waived by the Commission); no time limits on calls; the acceptance of nickels, dimes and quarters; and coin return for incomplete calls (coinless phones shall not be required to accept coins).
- (d) All public pay telephone instruments installed after July 1, 1990 shall be installed in accordance with the requirements of the *American National Standards Institute for Buildings and Facilities - Providing Accessibility and Usability for Physically Handicapped People*, ANSI, A.117.1 (1986), Section 4.29, Telephones. Provided, however, that in a given location where an owner has installed more than one instrument, only one pay telephone instrument shall be required to meet those requirements.
- (e) All public pay telephone instruments shall comply with Commission approved telecommunications industry standards and the current National Electric Code.
- (f) Local telephone directories shall be provided at each pay telephone service location upon commencement of service.
- (g) The owner shall read and comply with all Commission rules and regulations governing public pay telephone service.
- (h) The owner shall charge for intrastate toll calls no more than the rates approved by the Commission for the local exchange carrier serving the instrument and the dominant interexchange carrier in the state.
- (i) The owner shall provide an instrument capable of completing local and long distance calls. Provided however, that a coinless pay telephone is exempt from this requirement as long as it is located in close proximity or next to a pay phone with local and long distance calling capabilities.
- (j) The owner agrees to provide customer access to all interexchange carriers certificated to do business in Tennessee in the IXC's preferred manner as officially designated by said carrier to the Commission.

**Authority:** T.C.A. § 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; "Commission" and references to the "Commission" were changed to "Authority" and references to the "Authority"; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; "Tennessee Regulatory Authority" references were changed to "Tennessee Public Utility Commission," "Authority" references were changed to "Commission," "Authority Director" references were changed to "Commissioner," and "Chief" references were changed to "Director."

**1220-04-02-.46 COMMISSION APPROVAL OF AUTHORIZATION TO OPERATE A PUBLIC PAY TELEPHONE SERVICE.**

- (1) Upon receipt of the petition, the required data and any fees required for full compliance with Commission rules and statutes, the Commission shall authorize this service by issuing an authorization number for each public pay telephone service company. The Commission shall notify the owner of said instrument of this number so service may be commenced.
- (2) The owner of the authorized public pay telephone service may commence service after doing the following:
  - (a) Displaying the charge for a local call and any operating instructions on the face of the instrument.

(Rule 1220-04-02-.46, continued)

- (b) Affixing the Commission authorization number in a permanent manner to the face of the instrument.
  - (c) Displaying on the face of the instrument a telephone number to be used without charge to report malfunctions and obtain refunds.
  - (d) Displaying the name of the owner of the instrument and the name of the long distance carrier serving the instrument on the face of the instrument.
- (3) Owners or operators of public pay telephone service who have previously been authorized by the Commission for operations in this state may commence service at new locations prior to submission of the required data under terms and conditions to be established by the Commission or its designee, the Director of the Utilities Division.

**Authority:** T.C.A. § 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

#### **1220-04-02-.47 DENIAL OF AUTHORIZATION.**

- (1) Authorization may be denied to those petitioners failing to fully comply with the applicable filing requirements or to pay the required fees as provided by Commission rule or statute.

**Authority:** T.C.A. § 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

#### **1220-04-02-.48 AUTHORIZATION RENEWAL.**

- (1) Authorization to operate a public pay telephone service shall expire on July 1 of the year following the year in which initial authorization was obtained from the Commission and authorization renewals shall expire annually on each July 1 thereafter.
- (2) In order to renew this authorization, an application must be filed with the Commission before July 1 of each year on forms prescribed by the Commission. This authorization renewal application shall be accompanied by any annual inspection fee required by statute.

**Authority:** T.C.A. § 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

**1220-04-02-.49 PUBLIC PAY TELEPHONE SERVICE VIOLATIONS.**

- (1) The following shall constitute violations of the Commission's rules and requirements for authorized public pay telephone service:
  - (a) Charging an amount for local calls and intrastate toll calls which exceeds the amount authorized by the Commission.
  - (b) Imposing a time limit for local calls or failing to provide two-way calling service unless one-way service is authorized by the Commission.
  - (c) Charging for or failing to provide access without depositing money for calls to the operator, 911 or emergency numbers where 911 is not available, toll-free services, or intrastate or local directory assistance
  - (d) Attaching the instrument to any subscribed access line service other than a single public telephone access line directly connected to the LEC network and billed at the tariff rate.
  - (e) Attaching the instrument to an extension instrument without a private cut-off to automatically disconnect when the receiver is lifted for service, and operating semi-public additional sets connected to an authorized instrument in violation of the applicable tariff of the local exchange company, with the exception that such extension may have a dial or tone pad.
  - (f) Failure to display prominently on the face of the pay telephone instrument any of the following:
    1. A statement identifying the charge and operating instructions for its use.
    2. A statement indicating the name of the owner of the instrument and identifying the long distance carrier serving the instrument.
    3. A telephone number, which can be reached without charge or without having to deposit money where users can report malfunctions and obtain refunds.
    4. The Tennessee Public Utility Commission authorization number.
  - (g) Failure to meet any of the following:
    1. Requirements governing telephone service access by impaired or handicapped persons as required by Commission rule.
    2. All applicable telecommunications industry and electrical safety standards as required by Commission rule.
  - (h) Failure to provide instruments capable of accepting nickels, dimes, and quarters (waived for coinless pay phones).
  - (i) Failure to return coins to the customer for incomplete calls (waived for coinless pay phones).
  - (j) Failure to repair the instrument within seventy-two (72) hours of notification by the Commission, unless such repairs are the responsibility of the LEC providing access and failure to provide refunds in a timely manner.



(Rule 1220-04-02-.49, continued)

- (k) Failure to provide access without charge to all interexchange carriers certificated to do business in Tennessee in the preferred manner designated with the Commission by each IXC, unless said instrument is owned by an interexchange carrier.

**Authority:** T.C.A. § 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

#### **1220-04-02-.50 INSPECTION OF PUBLIC PAY TELEPHONE SERVICE.**

- (1) All authorized public pay telephone instruments shall be subject to periodic and random inspections by Commission personnel.
- (2) If upon inspection, a violation is discovered, the Commission inspector shall place an out-of-service sticker on the pay telephone instrument and shall notify the owner as soon as possible of the violation and the penalties therefore. The sticker shall contain the date and time of the inspection and name of the inspector.
- (3) If the violation is determined by the inspector to be unintentional, the owner shall have seventy-two (72) hours to correct the violation. If the violation is uncorrected after this time, the provisions of Rule 1220-04-02-.51 shall apply.

**Authority:** T.C.A. § 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

#### **1220-04-02-.51 PENALTIES FOR VIOLATIONS.**

- (1) Upon determination that a violation exists and after a reasonable attempt to notify the owner, the Commission shall through its designated representative, the Director of the Utilities Division, direct the local telephone company to disconnect the instrument in violation.
- (2) The local telephone company providing access to the instrument shall send the instrument owner a written notice, with a copy to the Commission, within twenty-four (24) hours of the directive indicating the location of the disconnection. The notice shall also include the charges for reconnection upon correction of the violation as specified in the tariff of the local exchange company.
- (3) The Commission shall automatically revoke the authorization for any instrument found to be in intentional violation of Commission rules. If the owner disputes the violation, a hearing may be requested within a reasonable time before the Director of the Utilities Division. If no violation is found to exist or if the violation is shown to be unintentional, then the connection charges shall be refunded to the owner by the local exchange company and authorization shall be reinstated.

**Authority:** T.C.A. § 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the

(Rule 1220-04-02-.51, continued)

*“Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”*

#### **1220-04-02-.52 REAUTHORIZATION AFTER VIOLATION.**

- (1) After disconnection of a public pay telephone instrument for violation of Commission rules, the following procedures shall apply for reauthorization and reconnection of the instrument to provide this service:
  - (a) Temporary reconnection to the network may be ordered by the Director of the Utilities Division or his/her designee at the request of the instrument owner for purposes of repair or verification of correction of the violation. Such reconnection may be temporarily maintained pending the filing of a new petition for authorization with the permission of the Director.
  - (b) Authorization may be reissued upon receipt of a new petition for authorization which includes a notarized statement verifying correction and accompanied by the fee prescribed by T.C.A. § 65-2-103. Up-to-date data already on file with the Commission shall not have to be resubmitted. This petition shall be filed with the Commission within ten (10) days of notification of the violation to the instrument owner.

**Authority:** T.C.A. § 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

#### **1220-04-02-.53 REVOCATION OF AUTHORIZATION TO PROVIDE INTRASTATE PUBLIC PAY TELEPHONE SERVICE.**

- (1) The Commission may refuse to reauthorize or may permanently revoke the authorization for any public pay telephone instrument or instruments which have been disconnected for Commission rule violations on numerous occasions; or may refuse to re-authorize or permanently revoke the authorization of any public pay telephone service owner or operator who has demonstrated a willful disregard for and an inability to comply with Commission regulation of public pay telephone service. Revocation of authorization may also be ordered for any just cause.
- (2) Permanent revocation of authorization shall only be ordered by the Commission after opportunity for a hearing is provided in accordance with the provisions of T.C.A. § 65-2-106 and all applicable provisions of the state Administrative Procedures Act.

**Authority:** T.C.A. § 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

**1220-04-02-.54 UNAUTHORIZED PUBLIC PAY TELEPHONE SERVICE.**

- (1) Any public pay telephone service which is not authorized for service by this Commission after July 1 of the year in which this rule takes effect shall be disconnected from the network by the local exchange company until the requisite authorization is obtained from the Commission.

**Authority:** T.C.A. § 65-4-116. **Administrative History:** Original rule filed May 17, 1990; effective July 1, 1990. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.”

**1220-04-02-.55 REPEALED.**

**Authority:** T.C.A. §§ 65-2-102, 65-4-104, 65-4-111, 65-4-201, 65-5-102, and 65-5-103. **Administrative History:** Original rule filed November 25, 1992; effective January 10, 1993. Amendment filed March 28, 1995; effective June 13, 1995. Amendment to rule 1220-04-02-.55 filed July 13, 2001; to be effective September 26, 2001; however, on September 25, 2001, the Joint Government Operations Committee of the General Assembly stayed 1220-04-02-.55, paragraph (2), until November 2, 2001. On October 31, 2001, the committee again stayed this section until January 2, 2002. Rule 1220-04-02-.55, paragraph (2) became effective January 2, 2002. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.56 REPEALED.**

**Authority:** T.C.A. §§ 4-5-201, et seq., 65-2-102, 65-2-106, 65-4-101, 65-4-104, 65-4-123, and 65-4-125 and 47 U.S.C. § 258. **Administrative History:** Original rule filed December 15, 1993; effective April 30, 1994. Amendment filed September 14, 1999; effective November 26, 1999. Amendment filed October 31, 2001; effective January 14, 2002. Amendment filed January 27, 2005; effective April 12, 2005. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; “Tennessee Regulatory Authority” references were changed to “Tennessee Public Utility Commission,” “Authority” references were changed to “Commission,” “Authority Director” references were changed to “Commissioner,” and “Chief” references were changed to “Director.” Repeal filed January 15, 2025; effective April 15, 2025.

**1220-04-02-.57 RULES AND REGULATIONS FOR RESELLERS OF TELECOMMUNICATION SERVICES.**

- (1) DEFINITIONS:
  - (a) “Access code” means a sequence of numbers that, when dialed, connect the caller to the provider of operator services associated with that sequence.
  - (b) “Aggregator” means any person that, in the ordinary course of its operations, makes telephones available to the public or to transient users of its premises, for intrastate telephone calls using a provider of operator services.
  - (c) “Call splashing” means the transfer of a telephone call from one provider of operator services to another such provider in such a manner that the subsequent provider is unable or unwilling to determine the location of the origination of the call.

(Rule 1220-04-02-.57, continued)

- (d) "Consumer" means a person initiating any intrastate telephone call using operator service.
  - (e) "Equal access" has the meaning given that term in Appendix B of the Modification of Final Judgment entered by the United States District Court in *United States v. Western Electric*, 569 F. Supp. 990 (D.C.D.C.; 1983).
  - (f) "Reseller" is a common carrier of telephone services other than a facilities-based carrier. The term reseller includes, but is not limited to, operator service providers.
- (2) Resellers shall not provide intrastate telecommunications services in Tennessee without a certificate of convenience and necessity awarded by the Commission pursuant to state law and these rules. In determining whether or not to award a certificate, the Commission shall consider whether granting the certificate will service the present or future public convenience and necessity. The Commission may also consider the applicant's financial ability, character, and proposed rates, as well as such other matters as the Commission finds relevant.
- (3) Local exchange carriers (LECs) shall provide intrastate access or intrastate billing and collection only to resellers that have been granted a certificate by the Commission.
- (4) All resellers providing intrastate service at the time the rule becomes effective shall have ninety (90) days to submit an application for a certificate of convenience and necessity. Resellers providing intrastate service on the date this rule becomes effective shall not be required to discontinue service pending the outcome of their applications.
- (5) APPLICATIONS FOR AUTHORITY. An application for a certificate of convenience and necessity, submitted by a reseller shall include the following information which must be certified as true and correct:
- (a) The name of the reseller, the address of the reseller's corporate headquarters, and the names and addresses of the reseller's principal corporate officers;
  - (b) If different than above, the name and address of all officers and corporate officers located in Tennessee and the name(s) and address(es) of employee(s) responsible for Tennessee operations;
  - (c) A certified statement from a principal corporate officer that the reseller is operating in compliance with all applicable federal and state laws and all FCC and Commission rules. If the reseller is an operator service provider, the statement must specifically reference T.C.A. § 65-5-106;
  - (d) Information about the structure of the business organization and, where applicable, a copy of any articles of incorporation, partnership agreement or by laws of the resellers and any entity owning or controlling interest in the reseller, and a copy of a license to do business in Tennessee;
  - (e) An up-to-date balance sheet and income statement;
  - (f) The name, address, and telephone number of a Tennessee contact person responsible for and knowledgeable about the reseller's operations;
  - (g) Repair and maintenance information including the name, local address, and telephone number of the individual responsible for servicing customers and supplying refunds;

(Rule 1220-04-02-.57, continued)

- (h) For operator service providers, a proposed tariff containing all operator service rates, tolls, charges, classifications and rules in compliance with Rules 1220-04-01-.01 and 1220-04-01-.02;
  - (i) A list of other states where the reseller is authorized to operate and a list of those states which have denied the requested authority;
  - (j) A description of company procedures used to verify customer-ordered changes in preferred interexchange carriers;
  - (k) A fifty dollar (\$50) registration fee; and
  - (l) Such other information as the Commission may require.
- (6) The Commission may grant or deny certificates based on the certified application subject to the right of any party to request a hearing. Falsification of, or failure to disclose, any information required in the application shall be grounds for denial or revocation of a reseller's certificate.
- (7) RATES AND TARIFFS:
- (a) Any operator service provider whose rates are equal to or less than the maximum rates of the predominant LEC or IXC for an equivalent call, as defined in T.C.A. § 65-5-106(1) and (2), shall be deemed just and reasonable. Any operator service provider that desires to charge a higher rate or utilize a different pricing method than the predominant LEC or IXC shall file appropriate cost justification for the proposed charge.
  - (b) Within ten (10) days of a request from the Commission or its Staff, a reseller shall provide a tariff containing requested rates, tolls, charges, classifications, and rules.
- (8) All resellers shall recognize and give effect to customer-ordered requests made to the customers local exchange carrier that certain types of calls, such as collect, third party, and/or "900" calls, be blocked.
- (9) CONSUMER INFORMATION:
- (a) Each provider of operator services shall:
    - 1. Identify itself, audibly and distinctly, to the consumer at the beginning of each telephone call and before the consumer incurs any charge for the call;
    - 2. Permit the consumer to terminate the telephone call at no charge before the call is connected; and
    - 3. Disclose immediately to the consumer, upon request and at no charge to the consumer:
      - (i) A quotation of its rates or charges for the call;
      - (ii) The methods by which such rates or charges will be collected; and
      - (iii) The methods by which complaints concerning such rates, charges or collection practices will be resolved.
  - (b) Each aggregator shall post on or near the telephone instrument, in plain view of the consumers:

(Rule 1220-04-02-.57, continued)

1. The name, address, and toll-free telephone number of the provider of operator services.
2. A 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 common carrier of their choice and may contact their preferred intrastate common carrier for information on accessing that carrier's service using that telephone, and
3. The name and address of the Tennessee Public Utility Commission, Andrew Jackson Office Building, 502 Deaderick Street, 4th Floor, Nashville, Tennessee 37243 to which the consumer may direct complaints regarding operator services.

(10) CALL BLOCKING PROHIBITED:

- (a) Each aggregator shall ensure that each of its telephones prescribed to a provider of operator services allows the consumer to use "800" and "950" access code numbers to obtain access to the provider of operator services desired by the consumer.
  - (b) Each provider of operator services shall:
    1. Ensure, by contract or tariff, that each aggregator for which such provider is the prescribed provider of operator services, is in compliance with the requirements of subparagraphs (a) and (c) of this paragraph; and
    2. Withhold payment (on a location-by-location basis) of any compensation, including commissions, to aggregators if such provider reasonably believes that the aggregator is blocking access to intrastate common carriers in violation of subparagraph (a) and (c) of this paragraph.
  - (c) Each aggregator shall ensure that any of its equipment prescribed to a provider of operator services allows the consumer to use equal access codes to obtain access to the consumer's desired provider of operator services consistent with the unlocking schedule set forth in 47 C.F.R. Section 64.704.
- (11) In instances in which the Commission has ordered facilities-based carriers to provide toll-free service, all resellers shall also provide toll-free service.
- (12) All resellers shall provide a toll-free number for customers to call regarding questions and complaints.
- (13) All resellers shall pay an inspection, control and supervision fee as required by T.C.A. § 65-4-301.
- (14) All resellers shall comply with Rule 1220-04-02-.13 regarding customer complaints.
- (15) All resellers shall file ad valorem tax reports pursuant to T.C.A. §§ 67-5-1301 et seq.
- (16) Violation of state law or the Commission's rules may constitute grounds for fines or revocation of a reseller's certificate as described below:
- (a) If the Director of the Consumer Services Division has cause to believe that a reseller is in violation of a Commission rule or state law, he/she shall notify the reseller of the alleged violation. The notice shall include copies of any documentation indicating that the reseller is in violation of the rule or statute.

(Rule 1220-04-02-.57, continued)

- (b) The reseller shall have thirty (30) days to provide a written response to the notice. Failure to respond to the notice shall be considered grounds for summary revocation of the reseller certificate.
- (c) After reviewing the response the Director may recommend to the Commission the issuance of a show cause order pursuant to T.C.A. § 65-2-106.
- (d) Upon a determination that a reseller is in violation of a statute or Commission rule, the Commission may impose fines, revoke the reseller's certificate or order such other remedies as provided by law.

**Authority:** T.C.A. §§ 65-2-102, 65-4-115, 64-4-117, 65-4-120, 65-4-201, 65-5-102, and 65-5-206. **Administrative History:** Original rule filed March 28, 1995; effective June 13, 1995. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; "Commission" and references to the "Commission" were changed to "Authority" and references to the "Authority"; effective March 28, 2003. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; "Tennessee Regulatory Authority" references were changed to "Tennessee Public Utility Commission," "Authority" references were changed to "Commission," "Authority Director" references were changed to "Commissioner," and "Chief" references were changed to "Director."

**1220-04-02-.58 REPEALED.**

**Authority:** T.C.A. §§ 4-5-201, et seq., 65-2-102, 65-2-106, 65-4-101, 65-4-104, 65-4-123, and 65-4-125 and 47 U.S.C. § 258. **Administrative History:** Original rule filed September 14, 1999; effective November 26, 1999. Administrative changes made to this chapter on April 27, 2018 pursuant to Public Chapter 94 of 2017; "Tennessee Regulatory Authority" references were changed to "Tennessee Public Utility Commission," "Authority" references were changed to "Commission," "Authority Director" references were changed to "Commissioner," and "Chief" references were changed to "Director." Repeal filed January 15, 2025; effective April 15, 2025.