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Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail).

For hand deliveries, the Commission’s contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission’s Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, DC 20554.

All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

Comments and reply comments must include a short and concise summary of the substantive arguments raised in the pleading. Comments and reply comments must also comply with 47 CFR 1.48 and all other applicable sections of the Commission’s rules. The Commission directs all interested parties to include the name of the filing party and the date of the filing on each page of their comments and reply comments. All parties are encouraged to utilize a table of contents, regardless of the length of their submission. The Commission also strongly encourages that parties track the organization set

forth in this *FNRPM* in order to facilitate our internal review process.

### Synopsis of the Further Notice of Proposed Rulemaking

1. *Background.* In the *Second Order on Reconsideration*, 66 FR 21105–01 (2001), in this proceeding, the Commission found that payphone service providers (PSPs) were not receiving fair compensation when a switch-based long distance reseller completed a payphone-originated call. The Commission found that, prior to the adoption of the order, there was confusion in the marketplace as to which facilities-based carrier—the interexchange carrier (IXC) or the switch-based reseller—was responsible for tracking payphone-originated calls to completion and compensating the PSP (switchless resellers are not required to track calls or compensate the PSP). The Commission also found that, because of the way telephone calls are switched, PSPs do not have the ability to track calls to completion. Thus, the Commission, in the *Second Order on Reconsideration* in this proceeding, amended its rules to specify that the first IXC to receive a payphone call from a local exchange carrier (LEC) was responsible for tracking the call to completion and for compensating the PSP for the call. The first IXC was also required to prepare reports of completed payphone calls so that the PSPs could verify that they were being adequately compensated. The Commission permitted the IXC to then seek reimbursement from its switch-based reseller customer for both the payment to the PSP and its expenses in tracking and preparing tracking reports.

2. *Discussion.* The Commission tentatively concludes that, prior to the adoption of our current rules, PSPs were not receiving fair per call compensation. The Commission bases this conclusion on the record amassed prior to the release of the *Second Order on Reconsideration*, which shows that payphone service providers are not fairly compensated and that they face myriad difficulties in identifying resellers that complete calls. The item discusses how the very structure of the PSP industry may exacerbate this problem and solicits further comment on this issue. The Commission invites comment on this tentative conclusion and its bases, and on what rules, if any, the Commission should adopt to ensure that PSPs are fairly compensated. Specifically, to assist the Commission in its analysis of the PSP marketplace and whether to retain or amend the payphone compensation rules, this *FNRPM* requests comment on whether

the Commission should retain the rules adopted in the *Second Order on Reconsideration* or whether it should adopt alternative rules to ensure that PSPs receive fair compensation. To assist the Commission in its analysis of whether to maintain or alter the current payphone compensation rules, it invites comments on four questions: (1) Whether PSPs are not receiving fair compensation when a switch-based reseller is involved in the routing of a payphone originated call; (2) which facilities-based carrier in the call path is best able to track a completed call made from a payphone; (3) which facilities-based carrier is best situated both to compensate the PSP and seek reimbursement from other carriers that derive an economic benefit from the call; and (4) what types of contractual relationships for tracking and payment of payphone calls should the Commission permit as exceptions to its payphone compensation rules. The item then poses a series of detailed questions to flesh out each of these four overriding questions.

### Initial Paperwork Reduction Act Analysis

3. This *FNRPM* contains a proposed information collection requirement. As part of its continuing effort to reduce paperwork burdens, the Commission invites the general public and the Office of Management and Budget (OMB) to take this opportunity to comment on the information collections contained in this *FNRPM*, as required by the Paperwork Reduction Act of 1995, Public Law No. 104–13. Public and agency comments are due June 23, 2003, and Reply Comments are due July 3, 2003. OMB comments are due August 1, 2003. Comments should address: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission’s burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

4. In addition to filing comments with the Secretary, a copy of any comments on the information collection(s) contained herein should be submitted to Judith Boley Herman, Federal Communications Commission, Room 1–C804, 445 12th Street, SW, Washington, DC 20554, or via the Internet to [jboley@fcc.gov](mailto:jboley@fcc.gov) and to Kim A. Johnson,