CHAPTER 14A
SHARING AND/OR RESALE OF TELEPHONE SERVICE BY COLLEGES AND UNIVERSITIES
PURSUANT TO G.S. 62-110 (e)

Rule R14A-1. **Application.** This Chapter governs sharing and/or resale of telephone service as authorized by G.S. 62-110 (e).

The relationship between sharers/resellers (providers) and the local exchange telephone company shall be governed by the filed tariff of the telephone company except as provided in this Chapter.

Rule R14A-2. **Definitions** (for purposes of this Chapter only).

(a) **Contiguous premises.** Property under common ownership or management that is not separated by property owned or managed by others. Property will be considered contiguous even if intersected by a public thoroughfare if, absent the thoroughfare, the property would be contiguous.

(b) **Shared use and resale of telephone service.** A telecommunications arrangement where two or more unrelated parties utilize a common telephone service.

(c) **Provider.** Provider, for purposes of this Chapter, shall mean a nonprofit college or university, and its affiliated medical center(s), which is qualified under Sections 501 and 170 of the United States Internal Revenue Code of 1986 or which is a State-owned institution and which subscribes to the local exchange telephone company and offers shared and/or resold service to others.

(d) **End-User.** The party to whom resold or shared service is provided. End-users under this Chapter shall mean students or guests housed in quarters furnished by the institution, or persons or businesses providing educational, research, professional, consulting, food, or other support services directly to or for the institution, its students, or guests.

Rule 14A-3. **Certificate.** Every provider desiring to provide shared/resold service pursuant to G.S. 62-110(e) shall obtain a certificate from the Commission. Application shall be made on the form specified in the Appendix to this Chapter. One certificate is required for each provider. Upon approval of the application, the provider shall notify the local exchange company in writing of its certification and shall describe the proposed service.

Rule 14A-4. **Service which can be shared or resold.** The provider may share/resell any telephone service provided to it by a public utility to end-users located on contiguous campus premises owned or leased by the Institution and non-contiguous premises owned or leased exclusively by the Institution.

Rule 14A-5. **Contract.** A provider shall file with the Commission a copy of its standard contract with residential end-users when it applies for a certificate. A provider shall have a written contract with each end-user which shall contain the following provisions:

(a) A statement of the terms and conditions of service including current rates and termination charges if any;

(b) A statement that the user may obtain service directly from the local telephone company;

(c) The name and telephone number of a representative of the provider to whom complaints should be addressed;
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(d) A statement that a user may submit unresolved complaints about quality of service to the Utilities Commission;

(e) A statement that at least thirty days written notice will be given prior to any rate increase (except that if a provider receives less than thirty days’ notice of a rate increase to the provider, it shall give notice of any resulting rate increase to its end-users as soon as practicable);

(f) A statement that the contract shall be voidable at the option of the end-user and without further liability to the end-user if the contract is breached by the reseller or sharer;

(g) A statement specifying when rates may be changed and the amount of increase that may be imposed during the contract period;

(h) A statement that rates, charges, payment arrangements, rules on disconnection and deposit requirements are not regulated by the North Carolina Utilities Commission;

(i) A statement specifying (1) the limitations of E911 emergency service regarding proper identification of the caller and the caller’s location whenever a call is placed from a telephone station and (2) the limitations on portability or reuse of the assigned telephone number upon a move or transfer of service and (3) the limitations regarding intercept service provided by the local exchange company for direct inward dial (DID) numbers; and

(j) A statement that a copy of this Chapter of the Rules and Regulations is available for inspection during business hours at the telephone offices of the provider and that a copy will be provided, free of charge, upon request of the end-user.

Rule 14A-6. Local exchange company access. Providers shall allow the local exchange company reasonable access to end-users who desire service directly from the local exchange company. Such access shall be provided to the local exchange company free of charge.

Rule 14A-7. Provision of local access lines. The certificated local exchange telephone company shall be the only source of access lines or trunks connecting resold or shared service to the telephone network.

Rule 14A-8. Networking. Interconnection of end-users of different providers or between end-users of the same provider not occupying the same contiguous premises must be through the local exchange company or a certified long-distance carrier.

Rule 14A-9. Quality of Service. Every provider is required to secure adequate local exchange trunks to ensure an adequate quality of service. The probability of blocking objective to be used in evaluating the adequacy of service is P.01.

Rule 14A-10. Rating of local service. The services of the certified local exchange telephone company, when furnished to providers as defined in this Chapter and in accordance herewith, shall be rated in the same way as those rest homes, licensed retirement centers, members of clubs or students living in quarters furnished by educational institutions as provided for in G.S. 62-110(d) and Chapter 14 of the NCUC Rules.

Rule 14A-11. Charges to end-users. Providers shall, for so long as they receive flat rate local service from the serving local exchange company, only charge flat monthly rates as opposed to measured or message rates for local exchange service, and shall not charge rates for long-distance service which exceed AT&T’s MTS rates.