

Georgia Public Service Commission

**244 WASHINGTON STREET, SW
ATLANTA, GEORGIA 30334-5701**

**APPLICATION FOR CERTIFICATE OF AUTHORITY**

**TO PROVIDE**

**INSTITUTIONAL TELECOMMUNICATION SERVICES**

**(ITS)**

Please file the completed application electronically at <https://psc.ga.gov/alternative-efile/>.

Please also mail one (1) hard copy of the application and any attachments to:

Ms. Sallie Tanner

#### Executive Secretary

Georgia Public Service Commission

244 Washington Street, SW

Atlanta, GA 30334-5701

Questions regarding filing procedures should be directed to Sallie Tanner at (404) 463-7747 or stanner@psc.ga.gov.

Questions regarding the application should be directed to Erica Wilson at (404) 651-9402 or ewilson@psc.ga.gov.



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| **I. APPLICANT**

|  |  |
| --- | --- |
| NAME OF COMPANY |  |
| ADDRESS 1 |  |
| ADDRESS 2 |  |
| CITY |  | STATE |  | ZIP CODE |  |
| TELEPHONE |  | FAX |  |

|  |
| --- |
| EMPLOYEE DESIGNATED TO RECEIVE AND RESPOND TO COMMISSION REQUESTS: |
| NAME |  | TITLE |  |
| ADDRESS 1 |  |
| ADDRESS 2 |  |
| CITY |  | STATE |  | ZIP CODE |  |
| TELEPHONE |  | FAX |  |
| EMAIL ADDRESS |  |

**NOTE:** FAILURE TO NOTIFY THE COMMISSION, IN WRITING, WHEN THERE IS A CHANGE IN THE CONTACT PERSON OR ADDRESS(ES) LISTED IN THIS APPLICATION WILL RESULT IN CANCELATION OF THE APPLICATION OR SUBSEQUENT CERTIFICATE OF AUTHORITY. |

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| II. ATTORNEY OR AGENTIF APPLICANT IS NOT A GEORGIA CORPORATION, GIVE NAME AND ADDRESS OF AN ATTORNEY OR AGENT IN THE STATE OF GEORGIA UPON WHOM PROCESS MAY BE SERVED IN ANY SUIT AGAINST APPLICANT.

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| ATTORNEY NAME |  |
| NAME OF FIRM |  |
| ADDRESS 1 |  |
| ADDRESS 2 |  |
| CITY |  | STATE |  | ZIP CODE |  |
| TELEPHONE |  | FAX |  |
| EMAIL ADDRESS |  |

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| **III. ORGANIZATION**

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| --- |
| STATE AND DATE OF INCORPORATION: |
| STATE |  | DATE |  |

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| --- |
| LIST THE NAMES, TITLES, AND ADDRESSES (IF DIFFERENT FROM ABOVE) OF ALL OFFICERS OR PARTNERS: |
| NAME |  | ADDRESS |  |
| TITLE |  |  |  |
| NAME |  | ADDRESS |  |
| TITLE |  |  |  |
| NAME |  | ADDRESS |  |
| TITLE |  |  |  |
| NAME |  | ADDRESS |  |
| TITLE |  |  |  |

|  |  |
| --- | --- |
| ATTACH A COPY OF THE CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS ISSUED BY THE GEORGIA SECRETARY OF STATE.PLACE EXHIBIT NAME IN BOX TO RIGHT (e.g., “EXHIBIT A”). |  |

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| IF APPLICANT IS A SUBSIDIARY, PARENT, OR AFFILIATE OF ANY OTHER COMPANY, REGARDLESS OF TYPE OR INDUSTRY, ATTACH A CHART SHOWING THE RELATIONSHIP OF THE APPLICANT TO ALL AFFILIATED COMPANIES.PLACE EXHIBIT NAME IN BOX TO RIGHT (e.g., “EXHIBIT A”).IF NO AFFILIATED COMPANIES, SO STATE. |  |

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| IV. EXISTING AUTHORITY

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| DOES THE APPLICANT OR ANY AFFILATED COMPANY HAVE EXISTING CERTIFICATES OF AUTHORITY ISSUED BY THE GPSC? (PLACE AN “X” IN THE APPROPRIATE BOX.) | YES |  | NO |  |
| IF YES, PLEASE LIST THE NAME OF EACH COMPANY AND THE CERTIFICATE NUMBERS: |
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| --- | --- | --- | --- | --- |
| DOES THE APPLICANT OR ANY AFFILIATED COMPANY HAVE EXISTING AUTHORITY GRANTED BY ANY STATE OR FEDERAL ENTITY? (PLACE AN “X” IN THE APPROPRIATE BOX.) | YES |  | NO |  |
| IF YES, PLEASE LIST THE NAME OF EACH COMPANY AND THE STATE OR FEDERAL ENTITY THAT GRANTED SUCH AUTHORITY: |
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| --- | --- | --- | --- | --- |
| HAS THE APPLICANT OR ANY AFFILIATED COMPANY HAD ANY PREVIOUS AUTHORITY REVOKED BY ANY STATE OR FEDERAL ENTITY?(PLACE AN “X” IN THE APPROPRIATE BOX.) | YES |  | NO |  |
| IF YES, PLEASE LIST THE NAME OF EACH COMPANY AND THE STATES IN WHICH AUTHORITY WAS REVOKED: |
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| ATTACH A COPY OF ALL ORDERS REVOKING AUTHORITY. PLACE EXHIBIT NAME/NUMBER IN BOX TO RIGHT (e.g., “EXHIBIT A”). |  |

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| V. COMPLIANCE WITH COMMISSION RULES AND ORDERS

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| [COMMISSION RULE 515-12-1-.37 FAMILY VIOLENCE SHELTER CONFIDENTIALITY](https://rules.sos.state.ga.us/GAC/515-12-1-.37) REQUIRES ITS PROVIDERS TO SUBMIT AN AFFIDAVIT UPON CERTIFICATION AND ON JANUARY 31 OF EACH ODD-NUMBERED YEAR THEREAFTER AN AFFIDAVIT ATTESTING THAT THE CARRIER WILL COMPLY WITH THE REQUIREMENTS OF THE RULE. |
| DOES THE APPLICANT AGREE TO COMPLY WITH COMMISSION RULE 515.12-1.37? (PLACE AN “X” IN THE APPROPRIATE BOX.) | YES |  | NO |  |
| DOWNLOAD CURRENT FAMILY VIOLENCE SHELTER CONFIDENTIALITY PROTECTION AFFIDAVIT FROM THE [GPSC WEBSITE](https://psc.ga.gov/utilities/telecommunications/).ATTACH EXECUTED AND NOTARIZED AFFIDAVIT TO THE APPLICATION. PLACE EXHIBIT NAME IN BOX TO RIGHT (e.g., EXHIBIT A). |  |

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| [COMMISSION RULE 515-12-1-.39 UNIVERSAL ACCESS FUND](https://rules.sos.state.ga.us/GAC/515-12-1-.39) REQUIRES ITS PROVIDERS TO REMIT CONTRIBUTIONS ON A QUARTERLY BASIS TO THE UNIVERSAL ACCESS FUND. |
| DOES THE APPLICANT AGREE TO COMPLY WITH COMMISSION RULE 515.12-1.39? (PLACE AN “X” IN THE APPROPRIATE BOX.) | YES |  | NO |  |

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| DOES THE APPLICANT AGREE TO COMPLY WITH ALL OTHER APPLICABLE COMMISSION RULES AND ORDERS? (PLACE AN “X” IN THE APPROPRIATE BOX.) | YES |  | NO |  |

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| VI. INSTITUTIONAL TELECOMMUNICATION SERVICES

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| DETAILED EXPLANATION OF SERVICES TO BE PROVIDED INCLUDING ANY SPECIALIZED OPERATOR SERVICES: |
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| LIST NAMES AND LOCATIONS OF ANY INSTITUTIONS WITH WHICH APPLICANT HAS CONTRACTED OR IS SEEKING TO CONTRACT TO PROVIDE INSTITUTIONAL TELECOMMUNICATION SERVICES: |
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| ATTACH ANY EXISTING OR PROPOSED CONTRACT(S) WITH ANY INSTITUTIONS IN GEORGIA. IF THERE ARE ANY CHANGES TO THE CONTRACT(S), THE COMMISSION MUST BE NOTIFIED IN WRITING AND PROVIDED WITH THE UPDATED CONTRACT BEFORE THE CONTRACT TAKES EFFECT.PLACE EXHIBIT NAME/NUMBER IN BOX TO RIGHT (e.g., “EXHIBIT A”).IF NO EXISTING OR PROPOSED CONTRACTS, SO STATE. |  |

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| ATTACH AN INSTITUTIONAL TELECOMMUNICATION SERVICES TARIFF WHICH INCLUDES RATES, TERMS, AND CONDITIONS FOR ALL SERVICES.PLACE EXHIBIT NAME/NUMBER IN BOX TO RIGHT (e.g., “EXHIBIT A”). |  |

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| PLEASE READ COMMISSION RULE 515-12-1-.30: INSTITUTIONAL TELECOMMUNICATION SERVICE (ATTACHED). DOES THE APPLICANT AGREE TO COMPLY WITH ALL PROVISIONS OF THIS RULE? (PLACE AN “X” IN THE APPROPRIATE BOX.) | YES |  | NO |  |

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| **VII. TECHNICAL CAPABILITY**

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| ATTACH RESUMES AND/OR PROFILES OF THE APPLICANT’S MANAGEMENT TEAM. DESCRIBE EACH TEAM MEMBER’S TECHNICAL QUALIFICATIONS, INCLUDING ANY RELEVANT WORK EXPERIENCE, EDUCATION, AND TRAINING.PLACE EXHIBIT NAME IN BOX TO RIGHT (e.g., “EXHIBIT A”). |  |

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| **VIII. FINANCIAL CAPABILITY**

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| PROVIDE AUDITED FINANCIAL STATEMENTS FOR THE MOST RECENT FISCAL YEAR. IF AUDITED FINANCIAL STATEMENTS ARE UNAVAILABLE, PROVIDE UNAUDITED INCOME STATEMENT, BALANCE SHEET, AND STATEMENT OF CASH FLOWS FOR MOST RECENT FISCAL YEAR.PLACE EXHIBIT NAME IN BOX TO RIGHT (e.g., “EXHIBIT A”). |  |

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| IS APPLICANT PRESENTLY INVOLVED IN ANY LITIGATION?(PLACE AN “X” IN THE APPROPRIATE BOX.) | YES |  | NO |  |
| IF YES, PLEASE DESCRIBE EACH CASE IN DETAIL (PARTIES, SUBJECT MATTER, JURISDICTION, CASE NUMBER, ETC.): |
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| **IX. AFFIDAVIT**

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| OFFICER OR ATTORNEY/ AGENT: |
| NAME |  |
| TITLE |  |
| ADDRESS 1 |  |
| ADDRESS 2 |  |
| CITY |  | STATE |  | ZIP CODE |  |

THE INDIVIDUAL NAMED ABOVE (HEREINAFTER, “APPLICANT”) PERSONALLY APPEARED BEFORE THE UNDERSIGNED, AN OFFICER DULY AUTHORIZED TO ADMINISTER OATHS. THE APPLICANT, AFTER FIRST BEING DULY SWORN, DEPOSES AND CERTIFIES THAT HE OR SHE HAS READ THE APPLICATION AND KNOWS THE CONTENTS THEREOF, AND THAT THE STATEMENTS MADE HEREIN ARE TRUE TO THE BEST OF HIS OR HER KNOWLEDGE AND BELIEF.APPLICANT FURTHER AGREES TO ABIDE BY ALL APPLICABLE LAWS UNDER THE STATE OF GEORGIA, AS CODIFIED IN THE OFFICIAL CODE OF GEORGIA ANNOTATED; ALL APPLICABLE RULES AND REGULATIONS OF THE GEORGIA PUBLIC SERVICE COMMISSION; AND ALL FINDINGS, CONCLUSIONS, TERMS, AND CONDITIONS SET FORTH IN PERTINENT COMMISSION ORDERS.UNDER PENALTIES OF PERJURY, APPLICANT DECLARES THAT THE STATEMENTS MADE IN THE FOREGOING APPLICATION, INCLUDING ACCOMPANYING STATEMENTS AND ATTACHMENTS ARE TRUE, COMPLETE, AND CORRECT. I UNDERSTAND THAT ANY FALSE OR MISLEADING INFORMATION IN, OR IN CONNECTION WITH, MY APPLICATION MAY BE CAUSE FOR DENIAL OR LOSS OF CERTIFICATE.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_SIGNATURE OF AFFIANT\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_DATE |

|  |  |
| --- | --- |
| SUBSCRIBED AND SWORN TO ME THIS\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20 \_\_\_\_\_.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_NOTARY PUBLIC | (SEAL) |

## GPSC Rule 515-12-1-.30

## Institutional Telecommunication Services

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| (1) | Definitions:

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| (a) | "Institution" is any type of confinement or correction facility, such as a prison, jail, work farm or detention center. |

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| (b) | "Institutional Telecommunication Services" are telephone services provided at an institution for use by inmates in making collect only or debit system calls. |

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| (c) | "Customer" is the billed party that agrees to accept and pay for institutional telecommunication services. |

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| (d) | "Positive Response" is a pulse or tone generated response and/ or verbal response initiated by the customer to accept responsibility for payment of institutional telecommunication services. No other method may be used in confirming a call (i.e., time outs that automatically complete the call if nothing is done or wrong number(s) are entered or the inability of called party instrument (telephone) and so on). |

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| (2) | All institutional service providers must obtain a certificate of authority from the Commission in order to lawfully provide Institutional Telecommunication Services. Holders of Regular Certificates of Authority for the provision of Institutional Telecommunication Services, as of the date of adoption of these rules, shall be exempt from filing an application to provide institutional telecommunication services but are not exempt from filing tariffs for the provision of Institutional Telecommunication Services. |

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| (3) | Each institutional service provider shall separately file a list of those institutions with which it has contracted to provide service. Such information may be filed under the Trade Secret provisions of this Commission. |

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| (4) | The institutional service provider's list of institutions at which it is providing service shall be updated annually with such update being due on or before January 31 of each year. Such information may be filed under the Trade Secret provisions of this Commission. |

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| (5) | All institutional service providers must file tariffs with the Commission which set forth the services provided and the charges for those services. |

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| (6) | The surcharge and rate charged the customer for any local (intraLATA/interLATA) collect call shall not exceed the currently effective caps ordered by the Commission for this type of call. |

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| (7) | The surcharge and per minute rate charged the customer for any intraLATA toll collect call shall not exceed the currently effective caps ordered by the Commission for this type of call. |

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| (8) | The surcharge and per minute rate charged the customer for any interLATA toll collect call shall not exceed the currently effective caps ordered by the Commission for this type of call. |

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| (9) | Charges by institutional service providers shall not exceed the tariffed rate. Any institutional service provider that wishes to increase its charge for institutional telecommunication service must file a petition with the Commission along with cost justification for the increase. The Commission must approve the new rate prior to its implementation. |

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| (10) | For any rate change, providers of institutional telecommunication services must provide price quotes up front to call recipients on every call for at least thirty days, without requiring the call recipient to respond to a prompt. The price quote shall include at minimum, the price of the first minute and the price of every additional minute of the call. The general prison population must be given notice of any rate change(s). Excepted from the requirement that institutional telecommunication service providers provide up front price quotes to call recipients on every call, is currently deployed institutional telecommunication service equipment in county jail facilities for the duration of the current existing institutional telecommunication service contracts (contracts in existence as of the date of adoption of this rule). Nothing contained in this exception shall relieve institutional telecommunication service providers of providing notice of rates to facilities and the inmates. Providers of institutional telecommunication service to county jail facilities shall also be required to provide toll free rates to call recipients. |

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| (11) | Each institutional service provider's operator, live and/or mechanical, shall clearly state the name of the company at the initiation of any encounter with a customer so that the customer is fully informed as to which carrier will be handling his or her call before the customer incurs any charge. Each service provider's operator shall also clearly state the company name at the conclusion of its contact with the customer. |

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| (12) | Each institutional service provider must provide a push or voice prompt that fully discloses the rate to be charged for the call, including surcharges, prior to the customer accepting a call and incurring any expense. Excepted from the requirement that institutional telecommunication service providers provide a push or voice prompt that fully discloses the rate to be charged for the call is currently, deployed institutional telecommunication service equipment in county jail facilities for the duration of the currently existing institutional telecommunication service contracts (contracts in existence as of the date of adoption of this rule). Nothing contained in this exception shall relieve institutional telecommunication service providers from providing the notice of rates to facilities and the inmates. Providers of institutional telecommunication service to county jail facilities shall also be required to provide toll free rate quotes to call recipients. |

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| (13) | The instrument (telephone) must:

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| (a) | Provide outward-only calling (be it at the location itself or through the central office serving that location). |

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| (b) | Where call termination is deemed appropriate by the administration of the institution, limit call duration to a 15 minute interval, unless another time interval is specially requested by the administration of the institution (the service provider must file with the Commission the institution's request within 30 days of any changes). |

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| (c) | Be installed in compliance with all accepted telecommunications industry standards and the current National Electric Code and the National Electric Safety Code. |

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| (14) | The institutional service provider must block or arrange to have blocked calls to local Directory Assistance (411), long distance Directory Assistance (555-1212), toll free numbers (1-800), 700, 900, 911, 950, 10XXX and any other numbers the Institution and/or the Commission finds may jeopardize the integrity and security of the institution and the safety of the public. |

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| (15) | The institutional service provider, must provide 0+ collect only or debit system calls for local, intraLATA toll, and interLATA toll calls and must block access to all other types or forms of calls. |

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| (16) | The institutional service provider must insure that a positive response from the called party indicating a willingness to pay for the call is received before completing the call. In the event the institutional service provider does not receive a positive response within fifteen (15) seconds from the last message given, the call must be terminated or defaulted to a live operator. |

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| (17) | Institutional Service Providers must adhere to the same rules and regulations that govern billing authority as approved by this Commission for Resellers, IXCs and AOS companies, meaning that the Institutional Provider must be identified on the bill submitted to the customer (call party) by the certified local exchange company. In the event it is impractical or impossible for the applicable certified local exchange company to comply with this Rule, the Institutional Service Provider may apply to the Commission for a waiver of this Rule, which shall be reviewed on a case by case basis. |

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| (18) | All providers of Institutional Telecommunication Services shall provide, for distribution by the correctional facility administrator, either (1) upon request by the correctional facility administrator; or (2) once per year; and (3) provided only upon the receipt of a reasonable fee to cover the costs of processing, gathering, and copying the information; printed material containing notice that certain security features inherent to the institutional telecommunications system may result in the disconnection of calls. Such notification must contain, at a minimum, that the following could cause calls to disconnect: use of 3-way calling; use of call transfer; calls put on hold; answering of call waiting; use of cellular phones; use of cordless phones; depressing of any extra numbers on the keypad; extended periods of silence. A sufficient quantity of printed material shall be provided to each correctional facility in order that a copy may be furnished to every inmate at the time of his or her incarceration. Further, additional copies of this printed material shall be provided to each correctional facility administrator, under whose direction and control notification of the technical limitations referenced in the printed material shall be placed in conspicuous locations within the facility and posted in areas accessible to the public, such as day rooms. It is further required that all institutional telecommunication service providers include in this printed material a statement that the correctional facility administrator may place time limits on all telephone calls. |

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| (19) | Institutional Service Providers may provision Institutional Telecommunications Service through the use of access lines, broadband, Voice over Internet Protocol, or any other technically feasible means, provided that the service must comply with the rates, terms and conditions set forth in applicable Commission orders. |

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| (20) | The rates and conditions for Public Telephone Access Lines for Institutions will be as approved by this Commission for each certified local exchange service company and will be reflected in each company's tariff. |

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| (21) | Any Institutional Service Provider that sells packages of minutes must provide adequate notice to the customer that the customer is entitled to a refund for any minutes that are not used at the time the account is closed. In a situation in which the customer has paid for minutes in advance, a refund for any unused minutes shall be issued to the customer within 60 days of the account being closed. Any certificated provider of Institutional Telecommunications Service that sells a package of minutes to an institution remains responsible for ensuring that refunds are issued to customers in accordance with the terms of this rule. |

**Cite as Ga. Comp. R. & Regs. R. 515-12-1-.30**
**Authority: O.C.G.A. Sec.**[**46-2-30**](https://links.casemakerlegal.com/states/ga/books/Code_of_Georgia/browse?ci=25&id=gasos&codesec=46-2-30&title=46)**.**
**History.** Original Rule entitled "Institutional Telecommunication Services" adopted. F. Aug. 5, 1991; eff. Aug. 25, 1991.
**Amended:**F. Aug. 29, 1997; eff. Sept. 18, 1997.
**Amended:**F. Nov. 26, 2002; eff. Dec. 16, 2002.
**Amended:** F. May 1, 2007; eff. May 21, 2007.