

§ 64.4004

associated with the lines or terminals that are to be presubscribed to the IXC;

(2) The date of the IXC-submitted PIC Order;

(3) The jurisdictional scope of the PIC Order (*i.e.*, intraLATA and/or interLATA and/or international); and

(4) The carrier identification code of the submitting IXC.

(b) *Customer contacts IXC to cancel PIC and to select no-PIC status.* When an end user customer contacts an IXC to discontinue interexchange service on a presubscribed basis, the IXC must confirm that it is the customer's desire to have no PIC and, if that is the case, the IXC must notify the customer's LEC. The IXC also is encouraged to instruct the customer to notify his LEC. An IXC may satisfy this requirement by establishing a three-way call with the customer and the customer's LEC to confirm that it is the customer's desire to have no PIC and, where appropriate, to provide the customer the opportunity to withdraw any PIC freeze that may be in place. The notification provided by the IXC to the LEC must contain the customer account information necessary to properly execute the cancellation Order including but not limited to:

(1) The customer's billing telephone number or working telephone number associated with the lines or terminals that are affected;

(2) The date of the IXC-submitted PIC removal Order;

(3) The jurisdictional scope of the PIC removal Order (*i.e.*, intraLATA and/or interLATA and/or international); and

(4) The carrier identification code of the submitting IXC.

[70 FR 32263, June 2, 2005; 70 FR 54301, Sept. 14, 2005]

EFFECTIVE DATE NOTES: 1. At 70 FR 32263, June 2, 2005, § 64.4003, was added. This text contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

2. At 70 FR 54301, Sept. 14, 2005, in § 64.4003, the introductory text, (a) introductory text, (a)(2), (a)(3), (b) introductory text, (b)(2) and (b)(3) were corrected. This text contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

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§ 64.4004 Timeliness of required notifications.

Carriers subject to the requirements of this section shall provide the required notifications promptly and without unreasonable delay.

§ 64.4005 Unreasonable terms or conditions on the provision of customer account information.

To the extent that a carrier incurs costs associated with providing the notifications required by this section, the carrier may recover such costs, consistent with federal and state laws, through the filing of tariffs, via negotiated agreements, or by other appropriate mechanisms. Any cost recovery method must be reasonable and must recover only costs that are associated with providing the particular information. The imposition of unreasonable terms or conditions on the provision of information required by this section may be considered an unreasonable carrier practice under section 201(b) of the Communications Act of 1934, as amended, and may subject the carrier to appropriate enforcement action.

§ 64.4006 Limitations on use of customer account information.

A carrier that receives customer account information under this section shall use such information to ensure timely and accurate billing of a customer's account and to ensure timely and accurate execution of a customer's preferred interexchange carrier instructions. Such information shall not be used for marketing purposes without the express consent of the customer.

Subpart DD—Prepaid Calling Card Providers

SOURCE: 71 FR 43673, Aug. 2, 2006, unless otherwise noted.

§ 64.5000 Definitions.

(a) *Prepaid calling card.* The term "prepaid calling card" means a card or similar device that allows users to pay in advance for a specified amount of calling, without regard to additional features, functions, or capabilities