

Approved: Carl Dean Holmes
Date 4/29/94

MINUTES OF THE HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson Carl Holmes at 12:00 p.m. on March 24, 1994 in Room 526-S of the Capitol.

All members were present except:

- Representative Mills - Excused
- Representative Lloyd - Excused
- Representative Gatlin - Excused
- Representative McClure - Excused
- Representative Weinhold - Excused
- Representative Alldritt - Excused
- Representative Charlton - Excused

Committee staff present:

- Raney Gilliland, Legislative Research Department
- Dennis Hodgins, Legislative Research Department
- Mary Torrence, Revisor of Statutes
- Shirley Wilds, Committee Secretary

Conferees appearing before the committee:

- Eva Powers - MCI
- Debbie Snow, Communication Workers of America

Others attending: See attached list

Hearing on HB 3078:

Debbie Snow. Ms. Snow prefaced her testimony referring to Texas legislation, SB 162, that passed in 1993. (See Attachment #1)

Ms. Snow commended the present phone system technologies and how it has worked well to provide a better life for our citizens. She added, however, she does not want the new technologies become the end instead of the means. She said with completely mechanized operator services, there is the tendency to shut out disabled people. The elderly frequently use operators, as various maladies will often prevent them from connecting a call, thereby relying on the live operator. In addition to these special services and regular duties, operators still handle emergency calls (not all areas come equipped with 911 service).

According to Ms. Snow, competitors are coming in and forcing the hand of large carriers through machines. She expressed concern that live operator services could be in peril.

Eva Powers. (See Attachment #2) Ms. Powers recommended some amendments to **HB 3078** as follows:
On line 17 after the word "state," insert "by any dialing pattern beginning the '0'". Also, she reported that MCI would recommend deleting subsection (c) as it would be in conflict with the suggested amendment to subsection (b).

Ms. Powers said MCI requests that the bill be amended so as to make it clear that the requirement for a live operator at the beginning of a call is applicable only to calls which are dialed starting "0."

Upon completion of its business, the meeting adjourned at 1:20 p.m.



12:50

[illegible]

Debbie Snow
Communications Workers of America
Kansas House Energy and Natural Resources Committee
March 24, 1994

1 Mr. Chairman, Members of the Committee, good afternoon. My name
2 is Debbie Snow and I'm here representing the Communications
3 Workers of America. As I mentioned two days ago we are a labor
4 union that in the State of Kansas has a membership 4,000 strong.
5 Our fifteen locals span the state, from Wichita to Hays, Topeka
6 to Garden City, Salina, Hutchinson, Parsons, metropolitan Kansas
7 City and points in between. Today I'm here to speak for our
8 operators and the Kansans who depend on operator service.

9
10 At one time, there were no operators, because calls could only
11 go from one end of a line to another. We can imagine the
12 excitement that must have come from those first phone calls.
13 One instrument on one end, one on the other, and excited crowds
14 at either end marveling at the miracle of transmitted speech.

15
16 Soon the need for connecting to another party became apparent,
17 and switchboards with people in attendance rose out of the need
18 to connect different points in a path between phones. The
19 operators became the portal, the opening between others to
20 communicate with one another. I bet if you researched, you
21 would find someone in your family tree who served as that
22 portal.

23
24 Those early operators soon learned about what we now call

*Energy & Natural Resources
Attachment #1
3/24/94*

25 technological downsizing. Dial phones relieved many of them of
26 their jobs. "Hello Central" slowly faded away, though the need
27 for operators remains still today: for collect calls, conference
28 calls, directory assistance, handicapped assistance, and yes,
29 even emergencies, the operator is a trained, caring voice on the
30 line. Children who in years past would be saying "Hi, Mom I'm
31 home from school", now often check in with the operator.

32
33 Technology has worked well for us as a means to a better life
34 but we want to make sure that technology doesn't become the end
35 instead of the means. Technology has benefitted us but it is up
36 to us as a society when we see how fast things are changing,
37 that we do not lose those very ingredients that make us great,
38 that separate us from machines.

39
40 We continue to move toward a mechanized age, but there is a
41 point at which we must decide whether we go completely automated
42 or whether we want some human reasoning and human input into
43 things we are doing. Otherwise we will continue to roll along
44 this path and become more and more numb to a lack of service.
45 The newest way is not always the best way.

46
47 Completely mechanized operator services tend to shut out
48 disabled people. Robot operators put a new and steeper flight
49 of stairs in front of disabled individuals who wish to
50 communicate with others. We are proud that Southwestern Bell

51 offers live operators, but competitors are coming in and forcing
52 the hand of these large carriers through machines. So where are
53 people going to turn?

54
55 Our workers began this journey years and years ago, building the
56 best communications system in the world. It's easy to see that
57 those who want to be competitive today weren't there to build
58 this, but would like to cash in on it.

59
60 Isn't it interesting that an entire category of horror movies
61 centers on the fear that machines will take over the world?
62 The elderly frequently use operators, as their eyesight or
63 arthritis often prevent them from connecting a call. The robot
64 confronts the caller with a confusing agenda of "Press 1 for
65 collect, 2 for something else", so that at the end, if you have
66 to wait for "If you're being mugged, press 8", it would hardly
67 matter, now would it? If this is confusing for me, then I
68 shudder to think how it appears to the very young and the
69 elderly. But, for what it's worth, who cares? Kansans care.
70 Over and over we have shown our concern for those in need, for
71 those who are not strong. Kansas can stand proud among states
72 for being among the first to draw this line with technology:
73 that just because it's possible does not mean it's desirable, to
74 emphasize that there is no machine so advanced as the human
75 mind. And no canned voice could care like the real thing.

76

77 In addition to the regular duties operators have, they still
78 handle emergency calls. Not all areas come equipped with 911
79 service. Some hesitate to use it. Some still don't know how.

80

81 Where else do you see a person's job title posted on something
82 we use every day. There on the dial, under the number "0" is
83 the word operator. Not robot. Not answering machine.
84 Operator. And behind that word should be a voice that says
85 without fail "May I help you."

86

87 I say to many people that when you go to an auction, flea
88 market, or garage sale, and you find a phone that says "Bell
89 System" - buy it, because it's already an antique. We are here
90 to make sure that the human voice doesn't follow the Bell System
91 into extinction, and that operators don't become an endangered
92 species.

AN ACT

1 relating to a requirement that an operator service make a live
2 operator available.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

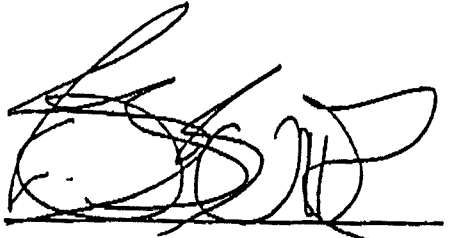
4 SECTION 1. Section 18A, Public Utility Regulatory Act
5 (Article 1446c, Vernon's Texas Civil Statutes), is amended by
6 amending Subsection (h) and adding Subsection (i) to read follows:

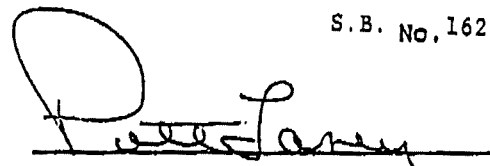
7 (h) Except as provided by Subsection (i) of this section,
8 this [This] section applies only to a telecommunications utility
9 that is not a dominant carrier. The commission is granted all
10 necessary power and authority under this Act to promulgate rules
11 and establish procedures for the purposes of enforcing and
12 implementing this section.

13 (i) Each dominant or nondominant telecommunications utility
14 that provides operator service shall ensure that a caller may
15 access a live operator at the beginning of all live or mechanized
16 operator assisted calls through a method designed to be easily and
17 clearly understandable and accessible to the caller. A
18 telecommunications utility shall submit to the commission the
19 method by which the utility will provide access to a live operator
20 for review. This subsection applies regardless of the method by
21 which the telecommunications utility provides the operator service.
22 The requirements of this subsection shall not apply to telephones
23 located in prison or jail facilities.


SECTION 2. This Act takes effect September 1, 1993.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.



President of the Senate

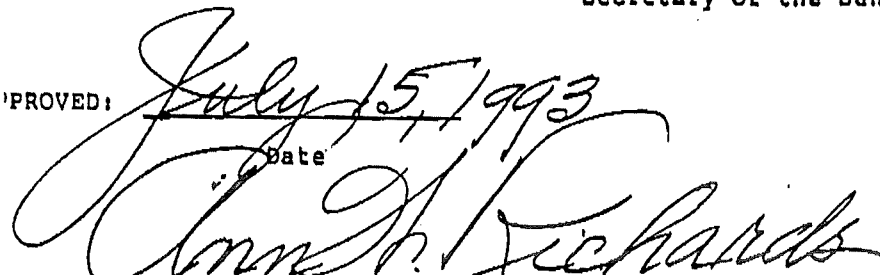
S.B. No. 162

Speaker of the House

I certify that S.B.No. 162 was passed by the House on April 1, 1993, by a non-record vote.


Chief Clerk of the House

I certify that S.B. No. 162 was passed by the Senate on May 19, 1993, by a viva-voce vote.


Secretary of the Senate

PROVED: 
Date: July 15, 1993
Governor



TESTIMONY ON HOUSE BILL 3078
OF MCI TELECOMMUNICATIONS CORPORATION
Before the House Energy and Natural Resources Committee

March 24, 1994
Eva Powers

MCI Telecommunications Corporation wants to express certain concerns regarding proposed House Bill 3078 and suggest certain amendments to that bill. This concern centers on the requirement that a live operator must be available at the beginning of a mechanized operator-assisted call. MCI supports the ability of consumers to reach a live operator to insure that any caller in an emergency situation or who otherwise needs assistance can reach a human being who can respond to the consumer's needs. Operator assistance is usually sought by dialing "0" or "0" plus a particular telephone number. MCI fully supports that a live operator should be available to anyone dialing "0" or "0" plus a number at the beginning of the call.

There are, however, other ways of dialing automated or mechanized operator assisted calls. Specifically, for a company such as MCI, the dialing pattern 1-800 plus a number or 950 plus a number is frequently used to dial a call which the customer wishes to bill to a credit card. In those circumstances the consumer will not encounter a live operator at the beginning of the call, but only if a problem occurs at some later point during the call will a live operator come on the line. The customer, in those instances, has affirmatively chosen to use MCI or another carrier and has received specific instructions on how to dial those calls. The requirement of availability of a live operator at the beginning of such calls would only serve to delay call completion and prolong the time before the consumer would reach the final destination of the call.

*Energy & Natural Resources
attachment #2
3/24/94*

MCI recommends that House Bill 3078 be amended on line 17 after the word "state" to insert the language "by any dialing pattern beginning with `0'" so that the first sentence of that section would read "Each telecommunications public utility shall insure that a person initiating a live or mechanized operator-assisted call in this state by any dialing pattern beginning with "0" may access a live operator at the beginning of all automated operator-assisted calls through a method designed to be easily and clearly understandable and accessible to the caller." MCI would further recommend deleting subsection (c) of HB 3078 inasmuch as it would be in conflict with the suggested amendment to subsection (b). Subsection (d) would then, of course, become subsection (c).

MCI has a nationwide operator services system designed to handle these types of calls and could not modify that system to account for specific requirements of a particular state. In other states where this legislation has been proposed the intent has been to require live operators at the beginning of a "0" dialed call and legislation has been so modified or it has been made clear that the ability to access a live operator by dialing "0" has been an acceptable method by which to provide access to a live operator. MCI requests that HB 3078 be amended so as to make it clear that the requirement for a live operator at the beginning of a call is applicable only to calls which are dialed starting with "0".

(c:\wp51\letters\mcihb3.078)