

Cox Rhode Island Telcom, L.L.C.  
9 J.P. Murphy Highway  
West Warwick, RI 02893



April 30, 2004

VIA HAND DELIVERY

Luly Massaro,  
Commission Clerk  
Rhode Island Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, RI 02888

Re: Docket 3569 – In Re: Rules Governing the Acceptance of Credit Card  
Payments by Utilities

Dear Ms. Massaro:

Cox Rhode Island Telcom, L.L.C. (“Cox”) herein respectfully submits its response to the Division of Public Utilities and Carriers (“Division”) concerning the proposed rules governing the acceptance of credit cards by utility companies (“Proposed Rules”).

On April 26, 2004, the Division filed written comments with the Public Utilities Commission (“Commission”) requesting that in addition to the incumbent local exchange carrier (“ILEC”) the Proposed Rules also include other local exchange carriers. Specifically, the Division states that if the Proposed Rules applied to competitive local exchange carriers (“CLEC”), it would allow those carriers to also accept credit card payments.<sup>1</sup>

While Cox appreciates the clarification that CLECs may choose to accept credit cards as a form of payment,<sup>2</sup> the Proposed Rules should not be revised in any way to include CLECs within its Definition and Applicability sections. This is because CLECs are not regulated in the same manner as ILECs or other incumbent utilities by the State. Cox does not have sufficient market share in the local exchange market to justify imposing specific requirements on it with respect to how it implements the use of credit cards, how it selects its credit card vendor, whether or how it passes the costs of credit card use on to its customers, and other such issues. Indeed, as

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<sup>1</sup> *Comments of the Division of Public Utilities and Carriers*, April 26, 2004, at 1.

<sup>2</sup> Cox and its cable-affiliate already have been accepting credit cards as a form of payment and, in the absence of any regulations governing such practices, never filed for formal approval to do so. See Cox’s response to data requests on the practice of credit card payments dated December 26, 2003.

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a new entrant into the local exchange market, with far less market share than the incumbent, Cox has every incentive, on its own, to implement the most customer-friendly, cost effective credit card policies possible. If customers are dissatisfied with the credit card practices Cox has implemented, they can pursue other options with other carriers. No party to this docket, and more importantly, no customer, has taken issue with Cox's current credit card practices. Nor has the Division demonstrated any need to impose additional regulation upon Cox or other CLECs in a market in which the clear trend is toward deregulation and allowing competitive forces to protect consumers. Based on these factors, Cox believes it is simply unnecessary to augment the Proposed Rules to apply to CLECs.<sup>3</sup>

If you have any questions regarding this filing, please contact me at 401.615.1588.

Sincerely,

Robert J. Howley (#6855)  
New England Manager, Regulatory Affairs

cc: Service List

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<sup>3</sup> Cox takes no position on the issue of whether the Proposed Regulations should apply to the ILEC.