

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 940110-TL
tariff filing to Grandfather) ORDER NO. PSC-94-0281-FOF-TL
Network Facilities for use with) ISSUED: March 10, 1994
976 Service by BELLSOUTH)
TELECOMMUNICATIONS, INC. d/b/a)
SOUTHERN BELL TELEPHONE AND)
TELEGRAPH COMPANY (T-93-696))

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING
LUIS J. LAUREDO

ORDER APPROVING TARIFF

BY THE COMMISSION:

On November 29, 1993, BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) filed a proposed revision to its tariff to grandfather Network Facilities For Use With 976 Service. Currently, Southern Bell's tariff offers Network Facilities For Use With 976 Service (976 Service). Available in Florida since 1984, 976 Service is subscribed to by Information Providers (IP's) who offer a recorded or computer generated program service with the billing for calls provided by Southern Bell. Initially, 976 Service was an attractive service to IPs. The introduction of alternative services has made 976 Service less attractive. This filing seeks to grandfather intracompany Network Facilities For Use With 976 Services.

At its outset, 976 service was an attractive service to IPs wishing to provide a recorded or computer generated program service within the local calling scope of the North Dade and Jacksonville exchanges. The LEC provided the transport and billing for the IP's program charge which appeared on the telephone subscriber's monthly bill. The introduction of alternative services (e.g. Uniform Access Number {UAN}, Automatic Number Identification ({ANI}, N11, 900, etc.) has made 976 service less attractive. All the aforementioned services access the LEC's local network. Because of these new service offerings, the number of 976 subscribers has dwindled, down to 28, with only one new subscriber added in 1993. Southern Bell believes in order to avoid further costs associated

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with maintaining the availability of a declining service, it is prudent to grandfather the service and utilize its resources in the development of more desirable services. Since there is apparently no demand for the 976 service offering and several alternative services are available, we agree with the Company that the service should be grandfathered and the resources used for other services.

976 service will not be available to new customers. Current subscribers to 976 service will be able to retain the service at their present location, add additional lines or transfer the service to another location; however, they cannot begin new programs.

Southern Bell notified existing customers about this proposed tariff filing. Current subscribers to the service, can retain the service offering until such time as subscribers discontinue it. Therefore, there will be no revenue impact to existing customers. Customers will not be able to transfer to another entity or sell 976 businesses.

We approve Southern Bell's proposed tariff to grandfather intracompany Network Facilities For Use With 976 Service with an effective date of February 15, 1994.

It is, therefore,

ORDERED by the Florida Public Service Commission that Southern Bell's proposed tariff to grandfather intracompany Network Facilities For Use With 976 Service is approved with an effective date of February 15, 1994. It is further

ORDERED that if a timely protest is filed, this tariff should remain in effect with any increase held subject to refund pending resolution of the protest. If no timely protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 10th day of March, 1994.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)
JRW

by: Kay Dejean

Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on March 31, 1994.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the date this Order becomes final, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.