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Southern Bell has set up pay telephone banks in the South Broward County area but seeks additional relief in the form of waiving tariff charges for certain regulated items. Southern Bell restored subscriber telephone service on June 11, 1994.

This is similar in nature to Docket No. 920868-TL; an emergency request for accommodation. Order Number PSC-92-0910-FOF-TP, issued September 1, 1992, during Hurricane Andrew, set forth an emergency waiver process which established that the Chairman, the most senior Commissioner available, the Executive Director, the Deputy Executive Director-Technical, and the Director of the Communications Division could authorize temporary waivers of rules. This order set the standards for any disaster which may occur unexpectedly and the process which ensues it.

Chairman Deason has given Southern Bell authority for a temporary waiver of charges. This item now has come before the full Commission for a vote. Although in this instance a natural disaster has not occurred, we consider this to be a man-made disaster that has left over one thousand customers, both residential and business, without the use of their telephones.

This waiver is only for the customers that were affected in the West Hollywood area. There were no other areas affected by the cable cut. The Company is waiving monthly recurring RCF charges from the day of the cable cut, June 7, 1994, until the day that service was restored, June 11, 1994.

Accordingly, we grant the waiver for these charges. We also require Southern Bell to keep track of the service elements and dollar amounts waived. The Company shall be prepared to report this information upon request.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company shall be permitted to waive secondary service order charges and monthly recurring charges for Remote Call Forwarding during the time period of the outage, June 7 through June 11, 1994, and for no more than seven calendar days after the service order is initiated. It is further

ORDERED that BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company shall keep track of the service elements and dollar amounts waived and shall be prepared to report this information upon request. It is further

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ORDERED that the effective date of this waiver is June 21, 1994. It is further

ORDERED that this Order shall become final and effective and this docket shall be closed on the date set forth below if no timely protest is filed pursuant to the requirements set forth below.

By ORDER of the Florida Public Service Commission, this 12th day of JULY, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

DLC

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 action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on August 2, 1994.

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In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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 and effective 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 effective date of this order, 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.