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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of rulemaking to amend and  
repeal rules in Chapters 25-4 and 25-9, F.A.C.,  
pertaining to telecommunications.

DOCKET NO. 080641-TP  
ORDER NO. PSC-09-0660-FOF-TP  
ISSUED: October 2, 2009

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman  
LISA POLAK EDGAR  
KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

NOTICE OF ADOPTION OF RULES

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted with changes the amendments to Rules 25-4.0185, 25-4.066, 25-4.070, 25-4.073, and 25-4.110, Florida Administrative Code, relating to telecommunications regulation.

The rules were filed with the Department of State on October 1, 2009 and will be effective on October 21, 2009. A copy of the rules as filed with the Department is attached to this notice.

This docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service Commission this 2nd day of October, 2009.



ANN COLE  
Commission Clerk

(SEAL)

KC

DOCUMENT NUMBER-DATE

10199 OCT-28

FPSO-COMMISSION CLERK

**25-4.0185 Periodic Reports.**

(1) Each local exchange telecommunications company shall file with the Commission's Division of Service, Safety and Consumer Assistance~~Competitive Markets and Enforcement~~ the information required by Commission Form PSC/SSCCMP 28 (~~xx/xx4/05~~), which is incorporated into this rule by reference. Form PSC/SSCCMP 28, entitled "Engineering Data Requirements," may be obtained from the Commission's Division of Service, Safety and Consumer Assistance~~Competitive Markets and Enforcement~~.

(2~~4~~) The information required by schedules 2, 3, 8, 11, and 15 ~~and 16~~ of Form PSC/SSCCMP 28 shall be filed ~~reported~~ on a quarterly basis by the large LECs and semiannually by the small LECs ~~and shall be filed~~ on or before the end of the month following the reporting period.

(3~~2~~) Schedules 2, 3, 11, and 15 of Form PSC/SSC 28 shall apply to basic local telecommunications service only. ~~The information required by Schedule 19 of Form PSC/CMP 28 shall be reported on a semiannual basis and shall be filed on or before the end of the month following the second and fourth quarters.~~

(4) Each local exchange telecommunications company shall begin recording basic local telecommunications service data for reporting on schedules 2, 3, 11 and 15 no later than January 1, 2010.

Rulemaking Specific Authority 350.127(2) FS.

Law Implemented 364.01(4), ~~364.03, 364.17, 364.183(1)~~ FS.

History—New 12-14-86, Amended 7-20-89, 12-27-94, 3-10-96, 4-3-05, \_\_\_\_\_.

**25-4.066 Availability of Basic Local Telecommunications Service.**

(1) Each telecommunications company shall provide central office equipment and outside

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of rulemaking to amend and  
repeal rules in Chapters 25-4 and 25-9, F.A.C.,  
pertaining to telecommunications.

DOCKET NO. 080641-TP  
ORDER NO. PSC-09-0659-FOF-TP  
ISSUED: October 2, 2009

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman  
LISA POLAK EDGAR  
KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

NOTICE OF ADOPTION OF RULE

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted the amendments to Rule 25-4.083, Florida Administrative Code, relating to preferred carrier freeze without changes.

The rule was filed with the Department of State on October 1, 2009, and will be effective on October 21, 2009. A copy of the rule as filed with the Department is attached to this Notice.

This docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service Commission this 2nd day of October, 2009.



ANN COLE  
Commission Clerk

(SEAL)

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DOCUMENT NUMBER-DATE

10198 OCT-28

FPSC-COMMISSION CLERK

**25-4.083 Preferred Carrier Freeze.**

(1) A local provider shall make available a PC-Freeze upon a subscriber's request.

~~(2) (1) A PC-Freeze shall not be imposed or removed on a subscriber's account without the subscriber's authorization and shall not be required as a condition for obtaining service.~~

(3) (2) A PC-Freeze shall be implemented or removed at no charge to the subscriber.

~~(3) The subscriber's authorization shall be obtained for each service for which a PC Freeze is requested. Procedures implemented by local exchange providers must clearly distinguish among telecommunications services (e.g., local, local toll, and toll) subject to a PC Freeze.~~

~~(4) All notification material regarding PC Freezes must include:~~

~~—— (a) An explanation of what a PC Freeze is and what services are subject to a freeze;~~

~~—— (b) A description of the specific procedures necessary to lift a PC Freeze and an explanation that the subscriber will be unable to make a change in provider selection unless the subscriber authorizes lifting of the PC Freeze; and~~

~~—— (c) An explanation that there are no charges for implementing or removing a PC Freeze.~~

~~(5) A local provider shall not solicit, market, or induce subscribers to request a PC-Freeze. A local provider is not prohibited, however, from informing an existing or potential new subscriber who expresses concerns about slamming about the availability of a PC-Freeze.~~

~~(6) A local exchange provider shall not implement a PC Freeze unless the subscriber's request to impose a freeze has first been confirmed in accordance with one of the following procedures:~~

~~—— (a) The local exchange provider has obtained the subscriber's written or electronically signed authorization in a form that meets the requirements of subsection (7);~~