

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Tariff proposal to introduce)	DOCKET NO. 900821-TL
Telephone Service Priority service by)	
SOUTHERN BELL TELEPHONE AND TELEGRAPH)	ORDER NO. 24421
COMPANY)	
<hr/>		ISSUED: 4/23/91

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 J. TERRY DEASON
 BETTY EASLEY
 GERALD L. GUNTER
 MICHAEL MCK. WILSON

ORDER APPROVING TARIFF

BY THE COMMISSION:

On September 9, 1990, Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) filed tariff revisions introducing the Telecommunications Service Priority (TSP) program and moving the Restoration Priority (RP) service to the obsolete portion of the tariff. The FCC has ordered the phase-out of the RP service with the implementation of a new and improved TSP program.

Restoration Priority service is currently being offered to ensure that services vital to the national interest would be maintained during emergency situations. The RP system's function is to give private lines vital to national security a designation to identify that those lines have been given priority restoration when failure occurs. The RP designation can only be granted by the FCC and the National Communications System (NCS). The NCS is the administrator of the National Security Emergency Preparedness (NSEP) telecommunications services. The NSEP telecommunications services are those which are used to maintain a state of readiness, or to respond to and manage any local, state, national, or international event or crisis, which could cause harm to the population, damage to property, or threaten the security of the United States.

In 1988, the NCS petitioned the FCC for rule changes to implement a new system because of difficulties with the RP system, and proposed the TSP system to address the problems. The NCS stated that the RP system does not cover expedited provisioning of NSEP services. In addition, the RP system applies only to intercity private lines. The TSP service will cover all NSEP private lines and the public switched network.

DOCUMENT NUMBER-DATE

03893 APR 23 1991

FSC-RECORDS/REPORTING

ORDER NO. 24421
DOCKET NO. 900821-TL
PAGE 2

The TSP system for NSEP ensures that priority restoration is given to vital telecommunications services. Only services that qualify as NSEP are eligible for TSP assignments. The assignments are given to the telecommunication vendors, in this case Southern Bell, based on priority levels established by the TSP system. The IXCs and LECs then use TSP assignments to guide them in determining the appropriate response sequence for restoration.

TSP service is limited to qualifying state and local government, the federal government, and certain private telecommunications services. Many of the current customers of the RP service will not be approved for TSP designation, including state agencies that do not provide emergency services. However, even though a service may be denied TSP designation, Commission Rule 25-4.070(4), Florida Administrative Code, alleviates that concern. That Rule states, in pertinent part, that "[p]riority shall be given to service interruptions which affect public health and safety that are reported to and verified by the company and such service interruptions shall be corrected as promptly as possible on an emergency basis." Therefore, services that are unable to obtain a TSP designation, but meet the requirements for Rule 25-4.070(4) would be expected to receive priority treatment, following the TSP circuits.

The FCC approved the TSP service in November 1988, and has ordered the phase-out of RP service. Southern Bell's interstate filing was approved by the FCC on September 10, 1990. The Company's proposed rates for TSP include both nonrecurring charges and a monthly recurring charge. The nonrecurring rates will cover cost, while the monthly recurring rates are at cost plus some contribution. Southern Bell is introducing this tariff in response to a nationwide program administered through the TSP program office. Thus, we believe that this tariff should be limited to the services that receive official designation through the TSP program office. Any future expansion of this tariff by Southern Bell shall be subject to our review.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Southern Bell Telephone and Telegraph Company's request to introduce Telecommunications Service Priority service is hereby approved. It is further

ORDER NO. 24421
DOCKET NO. 900821-TL
PAGE 3

ORDERED that Southern Bell Telephone and Telegraph Company shall notify existing Restoration Priority customers that their service will be obsoleted with an end date of March 31, 1993. Customer notification shall be completed within six months of the effective date of this tariff. It is further

ORDERED that this tariff shall be effective as of February 25, 1991. It is further

ORDERED that if no protest is filed in accordance with the requirement set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 23rd
day of APRIL, 1991.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

by: Kay Helton
Chief, Bureau of Records

PAK

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

ORDER NO. 24421
DOCKET NO. 900821-TL
PAGE 4

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 May 14, 1991.

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 sewer 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.