

**State of Florida**

**Commissioners:**  
SUSAN F. CLARK, CHAIRMAN  
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**DIVISION OF LEGAL SERVICES**  
NOREEN S. DAVIS  
DIRECTOR  
(904) 413-6199

**Public Service Commission**

January 10, 1996

Allen B. Dorfman  
The Polo Club  
17588-C Ashbourne Lane  
Boca Raton, FL 33496-2461

920260-TP

Dear Mr. Dorfman:

This letter is in response to your letter dated December 5, to Chairman Clark regarding the status of Southern Bell's Extended Calling Service (the "25 cent plan"). Because the matter is still pending further litigation, Section 350.042, Florida Statutes, prohibits Chairman Clark from making any comment regarding the merits of the matters discussed in your letter. As a result, your letter was referred to me for response.

The potential delay you discuss in your letter stems from a request from the Florida Interexchange Carriers Association (FIXCA) to stay the implementation of the Commission's Order approving implementation of Southern Bell's proposed Extended Calling Service Plan (ECS). The implementation of the ECS plan was delayed from January 1, 1996, until January 15, 1996 in order to give the Commission sufficient time to evaluate FIXCA's request for a stay. As you may have heard, the Commission voted on December 19, 1995, to deny FIXCA's request to delay the implementation of the ECS plan. At this point, the rate provisions of the ECS plan will be implemented on January 15, 1996. At that time, affected customers will be able to take advantage of the new rates on the affected calling routes.

Please note that FIXCA has appealed the Commission's decision to approve the ECS plan to the Florida Supreme Court. Typically, the Court will issue its decision in appeals of this nature in eight to ten months. Also note that, even though the Commission has denied FIXCA's request for a stay, FIXCA may still request a stay of the Commission's Order from the Court. FIXCA has not yet done so.

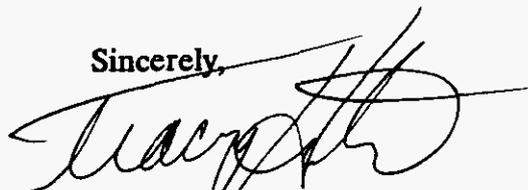
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Allen B. Dorfman  
January 9, 1996  
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If you have any further questions, please do not hesitate to contact me. I can be reached at (904) 413-6199.

Sincerely,

A handwritten signature in black ink, appearing to read "Tracy Hatch", written in a cursive style with a large loop at the end.

Tracy Hatch  
Staff Counsel

TWH

cc: Chairman Susan F. Clark

**RECEIVED**

DEC 05 1995

Florida Public Service Comm.  
Commissioner ClarkALLEN B. DORFMAN  
MANAGEMENT CONSULTING COMPANY  
("Who's Who In The World"/"Who's Who In America")THE POLO CLUB  
17888-C. ASHBOURNE LANE  
BOCA RATON, FLORIDA 33498-2461  
U.S.A.

(407) 241-4842, 10:00 A.M. - 5:00 P.M.

**A PRIORITY ISSUE, PLEASE**ALLEN B. DORFMAN  
CHAIRMAN OF THE BOARD

FAXED ONE PAGE, TUESDAY, DECEMBER 5, 1995

TO: CHAIRPERSON SUSAN CLARK, PUBLIC SERVICE COMMISSION... (PSC)

CC: JACK SHREVE, ESQ. - FLORIDA PUBLIC COUNSEL  
BUCK PASSMORE, REGIONAL MGR FOR CORPORATE & EXTERNAL AFFAIRS, BELL SOUTHRE: TODAY'S MEDIA REPORTS ON THE "25¢ CALLING PLAN" THE PSC APPROVED IN SEPTEMBER WHICH IS BEING TEMPORARILY PUT ON HOLD

DEAR COMMISSIONER CLARK:

1. RESIDENTS IN SOUTH FLORIDA CERTAINLY APPRECIATED THE PSC'S SUPPORT THIS PAST SEPTEMBER IN APPROVING THE RESIDENTIAL AND BUSINESS CALLING PLANS THAT WERE SUBMITTED BY BELL SOUTH. I REMEMBER TRACKING THE CALLS MADE TO THE OFFICE PRIOR TO THE DECISION BY THE PSC AND RECALL THAT THE COMMISSION RECEIVED OVER 3,000 PHONE CALLS ON THE SUBJECT, ALL IN FAVOR OF THE SOUTHERN BELL PROPOSAL. A MEMBER OF YOUR STAFF CALLED ME TO VERIFY THAT FIGURE.
2. IT COMES AS NO GREAT SURPRISE THAT THE OTHER, COMPETITIVE LONG DISTANCE PHONE COMPANIES ("THE FLORIDA INTEREXCHANGE CARRIERS ASSOCIATION") WOULD FILE A MOTION WITH THE PSC, ALONG WITH A NOTICE OF APPEAL TO THE FLORIDA SUPREME COURT.
3. CONSUMERS SHOULD NOT BE CAUGHT IN THE MIDDLE OF THIS BATTLE WITH THE TELEPHONE GIANTS. IN THE INTERESTS OF FAIR PLAY FOR RESIDENTS, THE BELL SOUTH PROPOSAL SHOULD BE IMPLEMENTED ON JANUARY 1ST, AS ORIGINALLY PROPOSED... (WHICH WOULD PROBABLY NOW BE DELAYED UNTIL ABOUT JANUARY 15, 1996, AS A RESULT OF WHAT IS NOW TAKING PLACE). LET THESE MAJOR CORPORATIONS BATTLE IT OUT, BUT THE CONSUMER SHOULD NOT OVERCHARGED DURING THE PROCESS - THAT WOULD BE A TRAVESTY!
4. AT THE VERY LEAST, IF THE ABOVE RECOMMENDATION PRESENTS A LEGAL PROBLEM, THEN THE CONSUMER SHOULD RECEIVE A RETROACTIVE ADJUSTMENT BACK TO JANUARY 1, 1996 ON ANY CALLS THAT WOULD HAVE BEEN PART OF THE "PACKAGE" THE PSC APPROVED IN SEPTEMBER 1995... (BY THE APPROPRIATE CARRIER, ONCE THE MATTER IS SETTLED.)
5. RESIDENTS WILL CERTAINLY BE UP-IN-ARMS AT THIS TURN OF EVENTS AND WILL LOOK FOR SUPPORT FROM THE PSC. WHATEVER YOU COULD DO ALONG THESE LINES WOULD CERTAINLY BE APPRECIATED. IF YOU BELIEVE THE DISTRIBUTION OF THIS FAX WOULD BE HELPFUL, PLEASE FEEL FREE TO DO SO... (I EXTEND THE SAME OFFER TO THE TWO RECIPIENTS OF THIS MEMO, AS WELL.) THANK YOU.

SINCERELY,

**ALLEN B. DORFMAN**  
ALLEN B. DORFMAN

ABD/ET.

P.S. - IT IS MY UNDERSTANDING THAT THE ISSUE IS WHETHER ANYONE OTHER THAN BELL SOUTH CAN PROVIDE THE "APPROVED FLAT RATE SERVICE," NOT WHETHER THE CONSUMER WILL RECEIVE THE PRICE STRUCTURE AGREED UPON BY THE PSC...(THIS IS MY CONCLUSION BASED UPON A STATEMENT MADE BY JOE GILLIAN, CONSULTANT TO THE "FLORIDA INTEREXCHANGE CARRIERS ASSOCIATION.") AM I CORRECT?