

VOTE SHEET

DECEMBER 16, 1997

RE: DOCKET NO. 970882-TI - Proposed Rule 25-24.845, F.A.C., Customer Relations; Rules Incorporated; and proposed amendments to Rules 25-4.003, F.A.C., Definitions; 25-4.110, F.A.C., Customer Billing; 25-4.118, F.A.C., Interexchange Carrier Selection; and 25-24.490, F.A.C., Customer Relations; Rules Incorporated.

Issue 1: Should the Commission propose Rule 25-24.845, F.A.C., Customer Relations; Rules Incorporated; and amendments to Rule 25-4.003, F.A.C., Definitions; Rule 25-4.110, F.A.C., Customer Billing; 25-4.118, F.A.C., Interexchange Carrier Selection; and 25-24.490, Customer Relations; Rules Incorporated?

Recommendation: Yes. The Commission should propose new Rule 25-24.845, F.A.C., and amendments to Rules 25-4.003, 25-4.110, 25-4.118, and 25-24.490, F.A.C.

**MODIFIED**

*Approved with modifications contained in attachment from Staff.*

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in the Majority column]*

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REMARKS/DISSENTING COMMENT:

DOCUMENT NUMBER-DATE

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FPSC-REGGRUS/REPORTING

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**Issue 2: If no requests for hearing or comments are filed, should the rule amendments as proposed be filed for adoption with the Secretary of State and the docket closed?**

**Recommendation: No.**

**APPROVED**

**DOCKET NO. 970882-TI**

**Slamming Rule - Staffs suggested changes for the Proposed Rule.**

**1. Customer service Number - Rule 25-4.110(10)(c).**

**Rationale:** During the public testimony, many customers complained that the customer service number they were given to call to contact the "provider" was not answered or was busy. It became apparent to staff that just requiring a number on the bill is not enough to make sure the customers can contact the "provider". This language was added to the debit card bill/

**Language:**

**Each company shall provide a live operator to answer incoming calls 24 hours a day, 7 days a week, or shall record end user complaints. A combination of live operators or recorders may be used. If a recorder is used, the company shall attempt to contact each complainant no later than the next business day following the date of recording. A minimum of 95% of all call attempts shall be completed to a company's toll-free customer service number. Stations busies will not be counted as completed calls.**

**2. Refund of charges for unauthorized services for the last 90 days. Rule 25-4.118(8).**

**Rationale:** Customer testimony revealed that some companies were billing quarterly and therefore would not be covered by the 90 day rule. Staff proposes adding "or first three billing cycles" to make sure the customer has sufficient time to notice and respond to the unauthorized switch.

**Language:** after "first 90 days" add the following:

**"or first three billing cycles which ever is longer "**

**3. Billing block option - 25-4.110(11)**

**Rationale:** Customer testimony revealed that not only long distance charges were being billed on their local exchange bill, but other services as well, such as calling cards and pagers. Services related to telecommunications that were "sold" over the telephone to the customer. Many times the customer was not aware of the service purchased. Other

incidences included forged LOAs from telemarketing companies that authorized the company to bill for services. The customer may have canceled the service but was still charged.

Options/suggested language: Revise the billing requirements for 900 and 976 charges to a more general description of "other service charges" or "other miscellaneous charges on behalf of other providers".

Included in the information that must be displaced on the bill containing Pay per call and other service charges:

3. End users/ customers can obtain a free billing block option from the LEC to block all charges from a third party. Bills submitted by third parties with the subscriber's LEC-specific personal identification number will validate the subscriber's authorization of the charges and supersede the billing block option. The subscriber is responsible for all such charges.

Add to subsection (11) in that same section:

add: other providers including

- Define term "provider."
- Conspicuously locate on bill that provider has been changed.
- Letter from new provider confirming change.
- Develop standardized Pric-freeze form for use by LECs.
- Provide proof of request for change to customers within 15 days of request.
- Require company to offer Pric freeze.
- Add re-rating language for up to 12 mos.