

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing introducing) DOCKET NO. 900638-TL
 voice mail basic service elements by) ORDER NO. 23430
 GTE FLORIDA INC.) ISSUED: 9-5-90
)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 FRANK S. MESSERSMITH

ORDER DENYING TARIFF

BY THE COMMISSION:

On May 17, 1990, GTE Florida Incorporated (GTEFL or the Company), filed a revision to its General Service Tariff introducing features associated with the provision of Voice Messaging Services (VMS). The proposed features are as follows:

1. Call Forwarding Busy Line/No Answer - directs incoming calls to another number after predetermined number of rings, or when customer's line is busy.
2. Message Waiting Indication - Audible - allows voice mail company to send stuttered dial tone alerting the end-user that a message is waiting.
3. Forwarded Call Information - Intraoffice - provides information on the subscriber's number, the voice mail number forwarded to, and the reason calls were forwarded.
4. Data Link - provides Forwarded Call Information - Intraoffice feature from other central offices.
5. Queuing - provides subscribers to PBX trunk lines or CentraNet lines arranged in a multi-line hunt group the capability to queue those lines.
6. User Transfer - allows customer to temporarily hold an established call, originate another call to a third party, and then transfer the first call to the third party.

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These features are similar to ones we approved on an experimental basis for Southern Bell Telephone and Telegraph Company in its West Palm Beach Limited Service Offering. See Order No. 20521, issued December 27, 1988. However, GTEFL is requesting these features be approved on a permanent basis and that mandatory usage sensitive access lines be used with these features.

We addressed the issue of mandatory measured service in the Information Services Docket. In Order No. 21815, issued September 5, 1989, we decided that bundling of features with usage sensitive access is not presently in the public interest. While we acknowledged the value of offering optional bundling of features and access as a way to offer alternatives to customers, we believe that, currently, such pricing must be optional.

GTEFL is proposing one-way, outgoing measured rates that are currently a tariffied option to any of its residential or business customers. The Company's rationale for this restriction is not to single out VMS or other Information Service Providers (ISPs), but to restrict an Interexchange Carrier (IXC) from subscribing to a flat rate business line or Private Branch Exchange (PBX) trunk and transmitting long distance traffic over it while claiming to be a VMS provider, thus avoiding all access charges due to GTEFL for this service. GTEFL claims that most VMS providers would subscribe to measured lines because as long as the traffic is virtually all incoming, the measured rates will be lower than the flat rates for business lines. While we acknowledge the Company's concern, we believe that GTEFL can control this problem by monitoring the traffic of VMS providers, especially ones holding IXC certificates, and investigating any unusual traffic patterns.

We believe GTEFL's attempt to bundle access with features is inappropriate, and therefore deny approval of the tariff on that basis. However, if the Company refiles the proposal without the restrictive language, the tariff shall become effective without further Commission action.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed tariff filing by GTE Florida, Incorporated introducing Call Forwarding Busy Line/No Answer, Message Waiting Indication - Audible, Forwarded Call Information, Queuing, User Transfer, and Datalink Termination is hereby denied. It is further

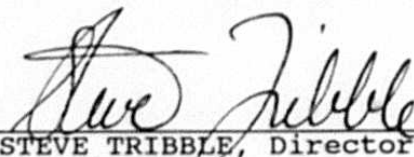
ORDERED that GTE Florida, Incorporated may refile the tariff proposal without reference to mandatory usage sensitive access, and

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the tariff will then become effective without further Commission action. It is further

ORDERED that this docket be closed.

By ORDER of the Florida Public Service Commission, this 5th
day of SEPTEMBER, 1990.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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 hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or 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

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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 after the issuance 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.