

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Amendment of) DOCKET NO. 960029-TL
Rule 25-4.040(4)(f), F.A.C.,) ORDER NO. PSC-96-0260-NOR-TL
Telephone Directories; Directory) ISSUED: February 23, 1996
Assistance (Inside Wiring))
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-4.040(4)(f), Florida Administrative Code, relating to telephone directories; directory assistance (inside wiring).

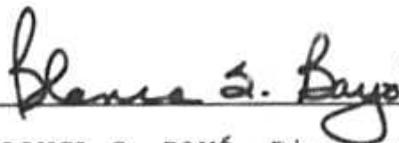
The attached Notice of Rulemaking will appear in the March 1, 1996 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at the following time and place:

Florida Public Service Commission
9:30 a.m., April 17, 1996
Betty Easley Conference Center
Room 152, 4075 Esplanade Way
Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0862, no later than March 22, 1996.

By ORDER of the Florida Public Service Commission, this 23rd day of February, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

DOCUMENT NUMBER DATE

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FPSC-RECORDS/REPORTING

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 960029-TL

RULE TITLE:

RULE NO.:

Telephone Directories; Directory Assistance 25-4.040

PURPOSE AND EFFECT: The purpose and effect of the amendment is to educate customers as to potential problems with their telephone service and the availability of alternatives to the telephone company for the repair of inside wire problems, thus facilitating the competitive market for this service envisioned by the Commission.

SUMMARY: The amendment requires a separate statement on the front pages of telephone directories of information including, but not limited to the following:

1. A layman's description of inside wiring, demarcation point and the customer's responsibility for wiring on the customer's side of the demarcation point.
2. A generic description of types of vendors that sell repair equipment and service or repair inside wire.
3. Instructions on determining whether the customer or telephone company is responsible for needed repairs and determining when a phone jack or telephone is defective.

RULEMAKING AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 364.03, F.S.

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WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

HEARING: IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., April 17, 1996

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-4.040 Telephone Directories; Directory Assistance.

(4) The following information shall appear in the front pages of the directory, preceding subscriber listings, along with an index where there are four (4) or more pages of such information:

(a) Directions for the use of local exchange and long distance telephone services and calls to repair and directory assistance services.

(b) Application and amount of directory assistance charges contained in company tariffs.

(c) Application and amount of charges for line busy verification, emergency interrupt and maintenance/repair services.

(d) The location of telephone company public business office located in the area covered by the directory.

(e) Identification of customer payment locations and an explanation of discontinuance of service procedures for local service.

(f) Policy on customer owned equipment and inside wiring shall include, but not be limited to the following information, separately stated:

1. A layman's description of inside wiring.
2. A layman's description of demarcation point.
3. A layman's description of the customer's responsibility for all wiring on the customer's side of the demarcation point.
4. A generic description of the various types of vendors which sell repair equipment.
5. A generic list of the types of service vendors providing maintenance or repair of inside wire, or customer premises equipment.
6. Instructions on how to determine whether the customer or the telephone company is responsible for needed repairs.
7. Instructions for determining when a phone jack is defective.
8. Instructions for determining when a telephone is defective.

(g) Policy on the recording of telephone conversations.

(h) Policy on harassing calls and sales solicitations generated by illegal automatic dialing equipment.

(i) Policy on various violations of law arising from the illegal use of telephone equipment and service.

(j) A conspicuous notice of the availability of the "No Sales Solicitation" list offered through the Florida Department of Agriculture and Consumer Services, Division of Consumer Services and the 800 number to contact for further information.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.03, F.S.

History: New 12/1/68, amended 03/31/76, 01/04/78, 12/10/84, formerly, 25-4.40, amended 11/28/89, 03/31/91, 02/11/92.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Reith

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULE:
Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: February 6, 1996

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and

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Reporting at (904) 413-6770 at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).