

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for waiver of ) DOCKET NO. 960650-TP  
required payment method of dial- ) ORDER NO. PSC-96-1176-FOF-TP  
around compensation to allow ) ISSUED: September 20, 1996  
implementation of a per-call )  
based method for intrastate )  
calls to non-local exchange )  
company pay telephone (NPATS) )  
providers, by AT&T )  
Communications of the Southern )  
States, Inc. )

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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 PROPOSED AGENCY ACTION  
ORDER GRANTING PETITION FOR WAIVER  
OF REQUIRED DIAL-AROUND COMPENSATION METHOD

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On May 24, 1996, AT&T Communications of the Southern States (AT&T) filed a petition for waiver of the Commission's required method of dial-around compensation to allow implementation of a per-call based method. AT&T proposed that it be removed from the group of carriers that pay a portion of the \$3.00 flat rate surrogate and, instead, pay \$0.25 per call. Dial around traffic is generated at a pay telephone when the end user "dials around" the pay phone's prescribed long distance carrier to reach the end user's preferred carrier. This is typically done through 1-800, 10XXX, or 950 calls, though other calling patterns may also be used. Dial-around compensation is the payment of fees from the long distance carriers that are getting the traffic to the pay telephone providers whose carriers have been circumvented.

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We set our dial-around policy in Order No. PSC-93-0070-FOF-TP, issued January 14, 1993. In that Order, we set a flat-rate charge of \$3.00 per month to be paid to each nonLEC pay telephone service (NPATS) provider for each of the NPATS' pay telephone lines. The \$3.00 charge was split among AT&T, Sprint Communications Company Limited Partnership (Sprint), MCI Telecommunications Corporation (MCI), and LDDS WorldCom (LDDS) according to each company's percentage of intrastate traffic.

By Order No. PSC-95-1370-FOF-TP, issued November 3, 1995, we granted a similar petition from Sprint. As a result, the remaining three carriers have been paying \$2.71 per line. AT&T pays \$2.02 per line, MCI pays \$0.43, and LDDS pays \$0.26. By its request, AT&T asks that it be removed from the group that pays the surrogate and instead pays \$0.25 per call. MCI and LDDS would continue to pay \$.43 and \$.26, respectively.

AT&T requested that its Petition become effective April 1, 1996. Dial-around compensation is usually processed quarterly in arrears, so AT&T would adjust its billing process for the April 1-June 30 period to make the change effective April 1, 1996. Payments are typically made approximately four months after the end of a quarter so no retroactive adjustments will be needed for the April 1 - June 30 period.

Upon consideration, we grant AT&T's petition.

Based on the foregoing, it is

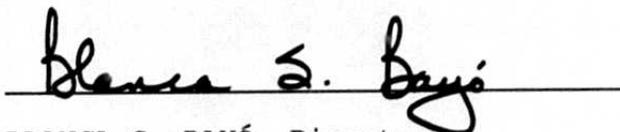
ORDERED by the Florida Public Service Commission that AT&T Communications of the Southern States, Inc.'s petition for waiver of the dial-around policy set forth in Order No. PSC-93-0070-FOF-TP, issued January 14, 1993, is granted as described in the body of this Order. It is further

ORDERED that AT&T Communications of the Southern States, Inc. shall begin paying NPATS \$0.25 per call effective April 1, 1996. It is further

ORDERED that, unless a person whose substantial interests are affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, below, this Order shall become final on the following date and this docket shall be closed.

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By ORDER of the Florida Public Service Commission, this 20th  
day of September, 1996.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

LMB

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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on October 11, 1996.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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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 and effective on the date described above, any party substantially 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 wastewater 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 effective date 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.