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FPSC - Records/Reporting

MEMORANDUM

MARCH 19, 1998

TO : DIVISION OF RECORDS & REPORTING

FROM : DIANA W. CALDWELL, ASSOCIATE GENERAL COUNSEL

RE : DOCKET NO. ^{980037.TP} PROPOSED AMENDMENTS TO RULE 25-4.160, F.A.C., OPERATION OF TELECOMMUNICATIONS RELAY SERVICE; RULE 25-24.585, F.A.C., RECORDS AND REPORTS; RULE INCORPORATED; RULE 25-24.825, F.A.C., PRICE LIST; AND RULE 25-24.835, F.A.C., RECORDS AND REPORTS; RULES INCORPORATED

8 pgs

98-0411-FOF TP

Attached please find a Notice of Adoption for distribution by your office.

Industry distribution is:

- Electric (EI)
- Electric (EM)
- Electric (EC)
- Gas (GU)
- Gas (GS)
- Gas Pipeline (GP)
- Telephone (TL)
- Telephone (TI)
- Telephone (TC)
- Telephone (TS)
- Telephone (TX)
- Telephone Alternate Access Vendors (TA)
- Water and Wastewater (WAW)

This document has the following priority:

- Must be issued today.
- Must be issued within 48 hours.
- Must be issued within 5 working days.

This docket will be closed upon issuance of the Notice.

NOA4160.MRD

Attachment

cc: File

Sandy Simmons (w/o attach.)

W. Terrell

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Amendments to Rule 25-4.160, F.A.C., Operation of Telecommunications Relay Service; Rule 25-24.585, F.A.C., Records and Reports; Rule Incorporated; Rule 25-24.825, F.A.C., Price List; and Rule 25-24.835, F.A.C., Records and Reports; Rule Incorporated.

DOCKET NO. 980037-TP
ORDER NO. PSC-98-0411-FOF-TP
ISSUED: March 20, 1998

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

NOTICE OF ADOPTION OF RULES

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted the amendments to Rules 25-4.160, 25-24.585, 25-24.825 and 25-24.835, Florida Administrative Code, relating to alternative local exchange telecommunications companies (ALECs) and shared tenant service (STS) providers without changes.

The rules were filed with the Department of State on March 19, 1998 and will be effective on April 8, 1998. A copy of the rule as filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

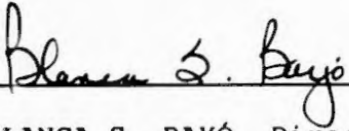
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By ORDER of the Florida Public Service Commission, this 20th
day of March, 1998.



BLANCA S. BAYÓ, Director
Division of Records & Reporting

(S E A L)

DWC

25-4.160 Operation of Telecommunications Relay Services.

(1) For intrastate toll calls received from the relay service, each local exchange and interexchange telecommunications company billing relay calls shall discount relay service calls by 50 percent off of the otherwise applicable rate for a voice nonrelay call except that where either the calling or called party indicates that either party is both hearing and visually impaired, the call shall be discounted 60 percent off of the otherwise applicable rate for a voice nonrelay call. The above discounts apply only to time-sensitive elements of a charge for the call and shall not apply to per call charges such as a credit card surcharge. In the case of a tariff which includes either a discount based on number of minutes or the purchase of minutes in blocks, the discount shall be calculated by discounting the minutes of relay use before the tariffed rate is applied.

(2) When a local exchange telecommunications company passes a call to the Florida relay service provider, it shall also forward the calling party's originating telephone number if the calling party's central office has that capability.

(3) To fund the telecommunications access system established under Part II of Chapter 427, F.S., all local exchange telecommunications companies shall impose a monthly surcharge on all local exchange telecommunications company subscribers,

excluding federal and state agencies, on an individual access line basis, except that such surcharge shall not be imposed upon more than 25 basic telecommunications access lines per account bill rendered.

(a) A local exchange telecommunications company shall consider an account bill rendered in a manner consistent with its billing practices for other telecommunications services.

(b) Except as otherwise provided by law, the surcharge billed by the local exchange telecommunications companies is not subject to any sales, use, franchise, income, municipal utility, gross receipts, or any other tax, fee, or assessment, nor shall it be considered revenue of the local exchange telecommunications companies for any purpose.

(c) All local exchange telecommunications companies shall include the surcharge as a part of the local service charge that appears on the customer's bill except that the surcharge may be itemized if a company monthly itemizes all local service charges. However, the local exchange telecommunications company shall itemize the surcharge on the initial bill to the subscriber and itemize it at least once annually. The local exchange telecommunications company may deduct and retain 1 percent of the total surcharge amount collected each month to recover the billing, collecting, remitting, and administrative costs attributed to the

surcharge. All moneys received by the local exchange telecommunications company, less the authorized amount retained, shall be submitted so as to be received by the Administrator within fifteen days after the end of the previous month. Each local exchange telecommunications company shall follow the same procedures for collecting this surcharge as for collecting for other regulated telecommunications services.

(4) For purposes of this part, the term "local exchange telecommunications company" shall be as defined in Section 427.703(7), F.S. The term shall include shared tenant service providers and alternative local exchange companies.

Specific Authority: 427.704(8), F.S.

Law Implemented: 427.704(4), (5), F.S.

History--New 9/16/92, Amended 04/08/98.

25-24.585 ~~Records and Reports~~, Rules Incorporated.

(1) The following rules are incorporated herein by reference and apply to shared tenant service companies:

SECTION	TITLE	PORTIONS
		NOT APPLICABLE
25-4.019	Records and Reports in General	<u>All None</u>
25-4.020	Location and Preservation of Records	<u>All except (1)</u> <u>and (3)-(2)</u>
25-4.043	Response to Commission Staff Inquiries	<u>All None</u>

25-4.0161 Regulatory Assessment Fees;

Telecommunication Companies All ~~None~~

25-4.160 Operation of Telecommunications All

Relay Service

(2) Each shared tenant service company shall file with the Commission's Division of Communications updated information for the following items within ten days after either such change occurs.

(a) The mailing address of the certificate holder.

(b) Name, title, and phone number of individual responsible for Commission contacts.

Specific Authority: 350.127(2), 427.704(8), F.S.

Law Implemented: 350.113, 364.016, 364.17, 364.18, 364.183, 364.185, 364.339, F.S.

History--New 1/28/91, Amended 12/29/91, 11/13/95, 7/29/97, 04/08/98.

25-24.825 Price List.

(1) Prior to providing service, each company subject to these rules shall file and maintain with the Commission a current price list which clearly sets forth the following information for the provision of residential dial tone, single-line business dial tone, and dial tone with any combination of the services included as part of basic local telecommunications services, as defined in s. 364.02(2), F.S. If residential dial tone, single-line business

dial tone, or dial tone with any combination of the services included as part of basic local telecommunications service is offered on a package basis, the following information must be provided for each ~~the~~ package:

- (a) current prices,
- (b) customer connection charges,
- (c) billing and payment arrangements, and
- (d) levels of service quality which the company holds itself out to provide for each service.

(2) At the company's option, price list information in paragraph (1) above and other information concerning the terms and conditions of service may be filed for services other than basic local telecommunication services.

(3) A price list revision must be physically received by the Commission's Division of Communications at least one day prior to its effective date.

(4) Price lists must be on 8 ½ by 11 inch paper in loose-leaf form and must utilize an ongoing page identification system which will allow for the identification of inserted and removed pages. The color of paper on which price lists are filed must be amenable to being clearly photocopied on standard photocopy equipment.

(5) Complete information concerning a company's service offerings, rates and charges, conditions of service, service

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quality, terms and conditions, service area, and subscribership information identified by local exchange company exchange must be made available to Commission staff upon request.

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

Law Implemented: 364.04, 364.337(5), F.S.

History--New 12/27/95, Amended 04/08/98.

25-24.835 ~~Records and Reports~~, Rules Incorporated.

The following rules are incorporated herein by reference and apply to alternative local exchange companies.

Section Title

25-4.0161 Regulatory Assessment Fees

25-4.043 Response to Commission Staff Inquiries

25-4.036 Design and Construction of Plant

25-4.038 Safety

25-4.160 Operation of Telecommunications Relay Service

Specific Authority: 350.127(2), 427.704(8), F.S.

Law Implemented: 364.336, 364.337, F.S.

History--New 12/27/95, Amended 04/08/98.