

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

|                                |   |                      |
|--------------------------------|---|----------------------|
| IN RE: Adoption of Rule        | ) | DOCKET NO. 890590-TI |
| 25-24.490(4), F.A.C.,          | ) |                      |
| pertaining to customer         | ) | ORDER NO. 22053      |
| relations; rules incorporated. | ) | ISSUED: 10-13-89     |
| <hr/>                          |   |                      |

NOTICE OF ADOPTION OF RULE

NOTICE is hereby given that the Commission, pursuant to Section 120.54, Florida Statutes, has adopted the amendment to Rule 25-24.490(4), F.A.C., pertaining to customer relations; rules incorporated without changes.

The rule amendment was filed with the Secretary of State on October 11, 1989, and will be effective on October 31, 1989. A copy of the relevant portions of the certification filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

By Direction of the Florida Public Service Commission,  
this 13th day of OCTOBER, 1989.

  
\_\_\_\_\_  
STEVE TRIBBLE, Director  
Division of Records & Reporting

( S E A L )

WJB

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DOCUMENT NUMBER-DATE  
10195 OCT 13 1989  
FPSC-RECORDS/REPORTING

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CERTIFICATION OF  
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES  
FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) The time limitations prescribed by paragraph 120.54(11)(a), F.S., have been complied with; and

(2) There is no administrative determination under section 120.54(4), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(11)(b), F.S. They are filed not less than 28 days after the notice required by subsection 120.54(1), F.S., and;

(a) And are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed within 21 days after the adjournment of the final public hearing on the rule; or

(d) Are filed within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

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/ (e) Are filed within 21 days after the date the transcript was received by this agency.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

| <u>Rule No.</u> | <u>Specific Rulemaking Authority</u> | <u>Law Being Implemented, Interpreted or Made Specific</u> |
|-----------------|--------------------------------------|--|
| 25-24.490(4)    | 350.127(2), F. S.                    | 364.03, 364.14,<br>364.15, 364.337, F.S.                   |

Under the provision of paragraph 120.54(12)(a), F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_  
 (month) (day) (year)

  
 \_\_\_\_\_  
 Steve Fribble

Director, Division of Records & Reporting  
Title

\_\_\_\_\_  
 Number of Pages Certified

25-24.490 Customer Relations; Rules Incorporated.

The following rules are incorporated herein by reference and apply to interexchange companies. In the following rules, the word 'local' should be omitted or interpreted as 'toll', as they shall apply only to interexchange and not local service.

(1) The following rules apply to all companies:

| <u>Section</u> | <u>Title</u>                                       | <u>Portions not<br/>Applicable</u><br>Subsection (2) |
|----------------|--|--|
| 25-4.111       | Customer Complaint and<br>Service Requests         |  |
| 25-4.112       | Termination of Service<br>by Customer              | None   |
| 25-4.113       | Refusal or Discontinuance<br>of Service by Company | None   |
| 25-4.114       | Refunds  | None   |

(2) The following rules apply to major interexchange companies only:

| <u>Section</u> | <u>Title</u>                             | <u>Portions not<br/>Applicable</u><br>Subsection (4) |
|----------------|--|--|
| 25-4.109       | Customer Deposits                        | None   |
| 25-4.110       | Customer Billing                         |  |
| 25-4.111(2)    | Customer Complaints &<br>Service Reports | None   |

(3) A minor interexchange company may require a deposit as a condition of service and may collect advance payments for more one

month of service if it maintains on file with the Commission a bond covering its current balance of deposits and advance payments (for more than one month's service). A company may apply to the Commission for a waiver of the bond requirement by demonstrating that it possesses the financial resources and income to provide assurance of continued operation under its certificate over the long term.

This subsection applies to all minor interexchange companies that apply for a certificate of public convenience and necessity on or after the effective date of this rule and will become applicable to all other minor interexchange companies 90 days after the effective date of this rule.

(4) Upon request, each company shall provide verbally or in writing to any person inquiring about the company's service:

- (a) any nonrecurring charge,
- (b) any monthly service charge or minimum usage charge,
- (c) company deposit practices,
- (d) any charges applicable to call attempts not answered,
- (e) a statement of when charging for a call begins and ends,
- (f) a statement of billing adjustment practices for wrong numbers or incorrect bills.

In addition, the above information shall be included in the first bill, or in a separate mailing no later than the first bill, to all new customers and to all customers presubscribing on or after the effective date of this rule, and in any information sheet or

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brochure distributed by the company for the purpose of providing information about the company's services. The above information shall be clearly expressed in simple words, sentences and paragraphs. It must avoid unnecessarily long, complicated or obscure phrases or acronyms.

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

Law Implemented: 364.03, 364.14, 364.15, 364.337, F.S.

History: New 2/23/87.

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Rule 25-24.490(4)  
Docket No. 890590-TI

SUMMARY OF RULE

The pertinent part of the rule, involved in this proposed rule change, presently requires interexchange telephone companies to provide certain information to new customers in their first bill. As a result of the rule change, companies will have a choice of sending the same information to new customers in a separate mailing no later than the first bill.

SUMMARY OF HEARINGS ON THE RULE

No comments or requests for hearing were filed.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Some companies find it easier and more economical to send the required information in a separate mailing rather than in a new customer's first bill.