

CERTIFICATION OF
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES

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DEPARTMENT OF STATE

900959-79

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

(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

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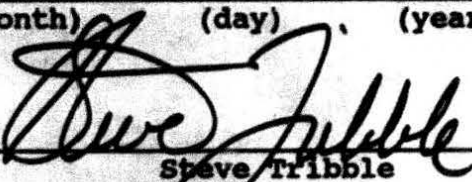
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undersigned agency by and upon their filing with the Department of State.

<u>Rule No.</u>	<u>Rulemaking Authority</u>	<u>Specific Law Being Implemented, Interpreted or Made Specific</u>
25-4.107	350.127(2) 364.14(2)	364.03, 364.04
25-4.108	350.127(2) 364.14(2)	364.03, 364.04

Under the provision of paragraph 120.54(13)(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 Tribble
Director, Division of Records & Reporting
Title

Number of Pages Certified

(S E A L)

CTM

1 **25-4.107 Information to Customers.**

2 (1) Each company shall provide such information and
3 assistance as is reasonable to assist any customer or applicant in
4 obtaining telephone service adequate to his communications needs.
5 At the time of initial contact, each local exchange
6 telecommunications company shall advise the person applying for or
7 inquiring about residential or single line business service of the
8 rate for the least expensive one party basic local exchange
9 telephone service available to him unless he requests specific
10 equipment or services. Each company shall inform all persons
11 applying for residential service of the availability of the
12 company's installment plan for the payment of service connection
13 charges. The information will be provided at the time of initial
14 contact and shall include, but not be limited to, information on
15 rate amounts and installment time periods and procedures. Upon
16 customer request, the person shall also be given an 800 number to
17 call to receive information on the "No Sales Solicitation" list
18 offered through the Department of Agriculture and Consumer
19 Services, Division of Consumer Services. In any discussion of
20 enhanced or optional services, each service shall be identified
21 specifically, and the price of each service shall be given. Such
22 person shall also be informed of the availability of and rates for
23 local measured service, if offered in his exchange. Local exchange
24 telecommunications companies shall submit copies of the information
25 provided to customer service representatives to the Division of

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1 | Communications for prior approval.

2 | (2) At the earliest time practicable, the company shall
3 | provide to that customer the billing cycle and approximate date he
4 | may expect to receive his monthly billing.

5 | **Specific Authority: 350.127(2), 364.14(2), F.S.**

6 | **Law Implemented: 364.03, 364.04, F.S.**

7 | **History: New 7/6/79, Amended 11/30/86, 11/28/89, 3/31/91,**
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1 **25-4.108 Initiation of Service.** Any applicant for telephone
2 service may be required to make application in writing in
3 accordance with standard practices and forms prescribed by the
4 utility, provided that the policy adopted by the utility for the
5 initiation of service shall have uniform application and shall be
6 set forth in its filed tariff. Such application shall be
7 considered as notice to the utility that the applicant desires
8 service and upon compliance by the applicant with such other
9 provisions governing utility service as may be in effect, the
10 utility shall undertake to initiate service without unreasonable
11 delay. Each company shall permit residential customers to pay
12 service connection charges in equal monthly installments over a
13 period of at least 3 months. A company may charge a monthly
14 service fee of \$1.00 to applicants who elect to pay the service
15 connection charge in installments.

16 **Specific Authority:** 350.127(2), 364.14(2), F.S.

17 **Law Implemented:** 364.03, 364.04, F.S.

18 **History:** New 12/1/68, Amended _____.

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SUMMARY OF RULE

Rule 25-4.107, F.A.C., Information to Customers, prescribes the Commission's requirements regarding the substance of information that must be provided to customers by telephone companies at the time of initial contact with the company. The revised rule adds the requirement that each company inform parties applying for service of the availability of the company's extended payment plan for the payment of service connection charges.

Rule 25-4.108, F.A.C., Initiation of Service, specifies the rights and obligations of both applicants for and providers of telephone service at the time the application is made and service initiated. The revised rule specifies that each company shall permit residential customers to pay service connection charges in equal monthly installments over a period of at least three months, and permits the company to charge a service fee of \$1.00 per month to customers electing to pay over an extended period.

SUMMARY OF HEARINGS ON THE RULE

A rulemaking hearing pursuant to section 120.54, Florida Statutes, was held on July 12, 1991 at 9:30 a.m. in Room 122 of the Fletcher Building, 101 E. Gaines St., Tallahassee, Florida. Participants at the hearing included representatives of local exchange companies and Commission staff. The issue raised was whether the companies should be required to inform all persons applying for residential service of the company's installment plan for the payment of service connection charges. Commission staff

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contended that customers were not being treated equally and that information about the availability of a payment plan should not be provided only to customers who ask for it. One company commented that there are customers who will elect the extended payment plan solely to take advantage of the time value of money. Additionally, the local exchange company participants were in general agreement that the proposed rule will have other costs, including a negative impact on companies' cash flow, additional customer service representative time to explain the option, and increased collection costs. The only solution proposed by the companies was not to adopt the rule, or to require that companies only notify customers of the plan if the customer indicates an inability to pay or requests payment terms. The comment was made that the companies' ability to collect deposits and advance payments of other charges will not be affected by the rule and should reduce or minimize the impact.

A second public hearing was held on September 24, 1991 in Room 106 of the Fletcher Building. At its agenda conference, the Commissioners voted not to allow imposition of a minimum first payment amount, but voted to permit the companies to charge a service fee to customers electing a payment plan.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

These rule amendments are necessary to insure that the extended payment plans are offered to all new customers in a fair and non-discriminatory manner. Most telephone companies presently offer extended payment plans, yet customers are generally not

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informed of the existence of such plans unless they ask. These rules require the service representatives to give all new customers notice of the availability of the extended payment plans.

Because companies will incur additional administrative costs to collect charges over an extended period, a service fee may be collected from customers who elect to pay by this method.