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99 JUN 16 PM 4:38

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RECORDS AND
REPORTING

June 16, 1999

Mrs. Blanca S. Bayo
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

RE: Docket No. 970882-TI (Slamming)

990777-TL

Dear Mrs. Bayo:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Emergency Petition for Temporary Waiver, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

RECEIVED & FILED

Sincerely,

FLORIDA PUBLIC SERVICE COMMISSION
DIVISION OF RECORDS

Nancy B. White (KR)

Nancy B. White

Enclosures

cc: All Parties of Record
Marshall M. Criser III
William J. Ellenberg II

- _____ AFA
- _____ APP
- _____ CAF
- _____ ~~SMN~~
- _____ CTR
- _____ EAG
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- _____ RRR
- _____ SEC
- _____ WAW
- _____ OTH

DOCUMENT NUMBER-DATE

07316 JUN 16 99

RECORDS AND REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Rule 25-24.845,)
F.A.C., Customer Relations;)
Rules Incorporated, and proposed)
Amendments to Rules 25-4.003,)
F.A.C., Definitions; 25-4.110,)
F.A.C., Customer Billing; 25-4.118,)
F.A.C., Interexchange Carrier)
Selection; 25-4.490, F.A.C.,)
Customer Relations; Rules)
Incorporated.)

DOCKET NO.: ~~970882-TT~~
990777-TL

Filed: June 16, 1999

BELLSOUTH TELECOMMUNICATIONS, INC.'s
EMERGENCY PETITION FOR TEMPORARY WAIVER

BellSouth Telecommunications, Inc. ("BellSouth") asks the Commission to temporarily waive the toll-free customer service number placement provision of Rule 25-24.110(10) because of resource constraints. Specifically, BellSouth seeks the following:

1. Rule 25-4.110(10) states:

By January 1, 1999, or six months after the effective date of this rule, whichever is later, all bills produced shall clearly and conspicuously display the following information for each service billed in regard to each company claiming to be the customer's publisher and provides for local, local toll, or toll service: (a) the name of the certificated company, (b) type of service provided, i.e., local, local toll or toll; and (c) a toll-free customer service number.

2. This Rule took effect on December 28, 1998. In the absence of a waiver, its provisions must be implemented by June 28, 1999.

3. BellSouth will begin providing a service provider summary section on bills produced on and after June 27, 1999. This summary section will identify the local toll and toll provider for each line.

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4. At this time, BellSouth is unable to provide the toll-free customer service number for each service provider on the service provider summary section. Completion of this work requires over 1000 hours of programming. The resources required to complete this work are severely strained by completion of Year 2000 compliance and implementing the FCC Access Reform requirements.

5. BellSouth will make every effort to implement this requirement by November of 1999. If, however, there are unforeseen Year 2000 conversion issues, BellSouth will allocate all its resources for the fourth quarter of 1999 and the first quarter of 2000 solely to ensuring a successful Year 2000 conversion. In as much as the Year 2000 will be the first leap year of the millennium, the possibility of complications cannot be forecasted with complete accuracy. In any event, implementation of the rule requirement will occur no later than April of 2000.

6. While BellSouth seeks a temporary waiver of the placement of the toll-free customer service number, BellSouth will provide a toll-free customer service number on all bills that contain a carrier bill page.

7. BellSouth's temporary waiver request meets the standards of Section 120.542, Florida Statutes. The purpose of the underlying statute, 364.604 ("Billing Practices") is, in part, to effectively provide information the consumer can use to better protect himself from being slammed. BellSouth's temporary waiver will not undermine this purpose. To the contrary, the temporary waiver is necessary to satisfy this objective. As explained above, attempting to implement the toll-free customer service number on the summary

section will certainly have consequences for Year 2000 compliance that could easily affect billing. A temporary waiver of the Rule's notice placement provision is, therefore, necessary to avoid substantial economic and technological hardship. Moreover, BellSouth will continue to have a toll-free customer service number on any bill that has a carrier bill page.

8. Extensive billing system and other process modifications necessitated by the Year 2000 problem are necessarily urgent and have taken resources from more routine compliance efforts. In addition, BellSouth will institute a moratorium on billing system changes later this year to accommodate Year 2000 compliance efforts.

9. BellSouth submits that the equities in this case weigh heavily in favor of granting this temporary waiver. BellSouth has been aggressive in instituting measures to curb slamming and cramming.

10. Because the rule must be implemented by June 28, 1999, BellSouth seeks the temporary waiver on an emergency basis.

11. For all the foregoing reasons, BellSouth seeks a temporary waiver of the notice placement provision of Rule 25-24.110(10).

Respectfully submitted this 16th day of June, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

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**CERTIFICATE OF SERVICE
DOCKET NO. 970882-T1**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U. S. Mail this 16th day of June, 1999 to the following:

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