



Manuel A. Gurdian
Attorney
Legal Department

AT&T Florida
150 South Monroe Street
Suite 400
Tallahassee, FL 32301

T: (305) 347-5561
F: (305) 577-4491
manuel.gurdian@att.com

October 11, 2007

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

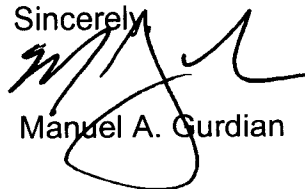
Re: **New Docket: _____**
AT&T Florida's Petition to Revise Customer Contact Protocol

Dear Ms. Cole:

Enclosed is BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Petition to Revise Customer Contact Protocol, which we ask that you file in the captioned *new* 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 to the parties shown on the attached Certificate of Service.

Sincerely,



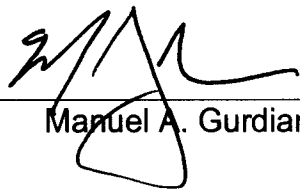
Manuel A. Gurdian

cc: All Parties of Record
Jerry Hendrix
Lisa S. Foshee
E. Earl Edenfield, Jr.

CERTIFICATE OF SERVICE
AT&T Florida's Petition to Revise Customer Contact Protocol

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
Electronic Mail and First Class U. S. Mail this 11th day of October, 2007 to the following:

Patrick Wiggins
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
pwiggins@psc.state.fl.us

A handwritten signature in black ink, appearing to read 'M. A. Gurdian', is written over a horizontal line.

Manuel A. Gurdian

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of AT&T Florida to Revise) Docket No.
Customer Contact Protocol)
_____) Filed: October 11, 2007

**AT&T FLORIDA’S PETITION TO REVISE CUSTOMER
CONTACT PROTOCOL**

BellSouth Telecommunications, Inc. d/b/a AT&T Florida (“AT&T Florida”), by and through its undersigned counsel, petitions the Florida Public Service Commission (“Commission”) to allow AT&T Florida to revise its customer contact protocol to eliminate Equal Access scripting requirements for intraLATA long distance services in order to achieve consistency in its intraLATA and interLATA procedures across the AT&T footprint as a result of the Federal Communications Commission’s (“FCC”) recent decision concluding that the Equal Access scripting requirements for interLATA long distance service are no longer justified in today’s competitive environment, and the granting of forbearance to the Regional Bell Operating Companies (“RBOCs”) from their continued application.¹ As described below, the public interest served by elimination of these requirements applies equally at the federal and state levels. In support thereof, AT&T Florida states the following:

1. Petitioner, AT&T Florida, is a Georgia corporation certificated to provide, and actually providing, telecommunications service in the State of Florida. AT&T Florida’s principal place of business is 675 W. Peachtree Street, NE, Atlanta, Georgia 30375.

¹ See Petition of AT&T Inc. for Forbearance Under 47 U.S.C. §160(c) with Regard to Certain Dominant Carrier Regulations for In-Region, Interexchange Services, Report and Order and Memorandum Opinion and Order, WC Docket Nos. 02-112, 00-175, 06-120, August 31, 2007, at ¶117(hereinafter “FCC’s Long Distance Order”).

2. All pleadings, notices and other documents directed to AT&T Florida in this proceeding should be provided to:

E. Earl Edenfield, Jr.
Tracy W. Hatch
Manuel A. Gurdian
c/o Gregory R. Follensbee
150 South Monroe Street, Ste. 400
Tallahassee, FL 32301
kip.edenfield@att.com
305.347.5558 (telephone)
850.222.8640 (fax)

Lisa S. Foshee
AT&T Southeast
675 West Peachtree Street,
Suite 4300
Atlanta, GA 30375
lisa.foshee@att.com
404.335.0750 (telephone)

Jurisdiction

3. The Commission has jurisdiction over this Petition pursuant to the authority granted to the Commission in Chapter 364, Florida Statutes.

Implementation of Long Distance Competition

4. Following divestiture in 1984, the FCC imposed equal access requirements in order to implement dialing parity for newly competitive interLATA long distance services.² Under the equal access scripting requirements, incumbent LECs had to inform new local exchange customers that they could obtain stand-alone long distance service from other carriers and offer to read the customers a list of carriers offering long distance service in their area. At that time, competition in the interstate long distance market was in its early stages. The equal access scripting requirement helped ensure that

² *United States v. Western Elec. Co., Inc.*, 578 F. Supp. 668, 670 (D.D.C. 1983) (equal access requirements were meant to abolish a “substantial disparity in dialing convenience” caused by end-users having to dial a multiple-digit access code to access interexchange carriers other than AT&T).

customers fully understood that they had a choice of interLATA long distance service providers.

Commission Orders

5. In Order No. PSC-95-0203-FOF-TP (Issued February 13, 1995), the Commission found that intraLATA presubscription was in the public interest, was an important step toward full competition and that dialing parity with interLATA calls would give carriers an incentive to provide new and innovative services.

6. In Order No. PSC-96-1569-FOF-TP (Issued December 23, 1996), the Commission held, among other things, that AT&T Florida was prohibited from marketing its services to existing customers calling to change intraLATA carriers and from initiating marketing of its intraLATA services to existing customers calling for reasons other than to change intraLATA carriers for a period of 18 months. Moreover, AT&T Florida was required to 1) advise new customers that they now had an option of selecting a long distance carrier for their local toll calls; 2) offer to read the list of available carriers; 3) read the list if requested; and 4) if the customer did not pick a carrier, repeat the process and inform the customer that dialing an access code would be required on all intraLATA calls until a presubscribed carrier was chosen.

7. In Order No. PSC-98-1469-FOF-TP (Issued October 28, 1998), the Commission granted AT&T Florida partial relief from the restrictions for new customers imposed by Order No. PSC-96-1569-FOF-TP. Specifically, the Commission allowed AT&T Florida to use the phrase "in addition to us" in the script advising new customers of their intraLATA choices.

8. In Order No. PSC-04-0115-PAA-TL (Issued January 30, 2004), the Commission granted partial relief from the Commission Orders referenced above by allowing AT&T Florida to recommend its own intraLATA toll service on new customer contacts after it informs customers that they have a choice of local toll providers and offers to read a list of all available intraLATA toll providers.

FCC's August 31, 2007 Order

9. Since 1996, competition has evolved substantially in the telecommunications market. Customers are well aware today that they have choices for their telecommunications services, and there are multiple sources of telecommunications services providers. On August 31, 2007, the FCC released an Order in which it established a new framework to govern the provision of in-region, long distance services by the Bell Operating Companies and their independent incumbent local exchange carrier affiliates. This new framework “replaces unnecessarily burdensome regulation with less intrusive measures that protect important customer interests while allowing the BOCs ... to respond to marketplace demands efficiently and effectively.”³

10. In the same August 31, 2007 Order, the FCC also granted AT&T, Inc.'s petition for forbearance from application of the Equal Access Scripting Requirement (“EA Scripting Requirement”).⁴ It concluded that such action served the public interest for several reasons. First, the EA Scripting Requirement was designed to foster fair competition in the provision of stand-alone long distance service at a time when competition in the provision of stand-alone long distance services was nascent and there

³ FCC's Long Distance Order. at ¶1.

⁴ Id. at ¶¶117-127.

was little, if any, competition in the provision of local exchange service.⁵ Over the years, competition in the telecommunications market has grown by leaps and bounds, and the nature of that competition has changed significantly. In particular, the FCC found that “the stand-alone long distance competition that the ... Scripting Requirement was designed to protect has largely given way to competition between service bundles that include both local exchange and long distance service or ‘any distance’ minutes that can be used for both local exchange and long distance service or ‘any distance’ minutes that can be used for both local exchange and long distance calling.”⁶ Moreover, the minority of customers that still take stand-alone long distance services now have additional options available for making long distance calls, including mobile wireless services and prepaid calling cards.⁷

11. Despite the development of these competitive alternatives, the FCC found that the EA Scripting Requirement focuses solely on alternative presubscribed wireline long distance providers. Thus, “instead of increasing consumer awareness of competitive alternatives, ... the artificially narrow focus of the EA Scripting Requirement may, in fact, confuse or mislead consumers and cause them not to investigate alternative means of making long distance calls.”⁸ For this reason, the FCC concluded that “competition for stand-alone long distance services would function better absent the potential market-place

⁵ Id. at ¶120.

⁶ Id. at ¶ 121 (for example, service bundles are increasingly available from cable operators and interconnected VoIP Providers; and wireless telephone subscribers also regularly use their “any distance” minutes for long distance calling).

⁷ Id. at ¶122.

⁸ Id.

distorting effects of the current EA scripting requirement.”⁹ Accordingly, it granted forbearance from continued application of these rules effective August 31, 2007.¹⁰

Request for Relief

12. For all of the reasons cited by the FCC in its August 31, 2007 Order, AT&T Florida requests that the Commission grant its Petition requesting elimination of continued application of the EA Scripting Requirement for intraLATA long distance service. There is simply no logical basis for continuing to enforce scripting requirements for intraLATA long distance service while eliminating such requirements for interLATA long distance at a federal level. The intent behind both sets of requirements as implemented is no longer served by their continued application. Customers today are well aware of their choices for communications service and are selecting those carriers and plans that best meet their communications needs, be it buying wireless service, VoIP service, or services that bundle local and long distance service. Continued application of the scripting requirements at a state level, like those at the federal level, artificially focuses on one set of competitive alternatives at the expense of other less traditional options and, thus, can “confuse or mislead consumers and cause them not to investigate alternative means of making long distance calls.”¹¹ Finally, continued application of the scripting requirement for intraLATA long distance service, while removing it for interLATA service, will greatly confuse and frustrate customers, who for the most part no longer focus on stand-alone long distance services apart from local service, much less on out-moded distinctions between inter- and intrastate long distance service.

⁹ Id.; *see also* ¶¶ 123-24 (“current EA Scripting Requirement is likely to distort competition” and “harm consumers” “and thus we find that forbearance from that requirement is in the public interest”).

¹⁰ Id. at ¶ 127.

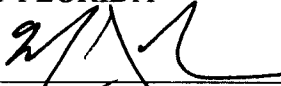
¹¹ Id. at ¶ 122.

13. Indeed, continued enforcement of the equal access scripting requirements for intraLATA long distance service effectively will thwart the public interest intended to be served by the FCC's removal of such requirements for interLATA long distance service. Nothing at all will be gained if AT&T Florida removes the scripting requirement for interLATA long distance service only to be compelled to continue to include such messaging for intraLATA long distance service. If anything, the potential for customer confusion actually will increase. Thus, far from serving any continued public interest, continued application of the current rules, in light of the FCC action, will disserve the consuming public.

WHEREFORE, for the foregoing reasons, AT&T Florida respectfully requests that the Commission allow AT&T Florida to revise its customer contact protocol to eliminate Equal Access Scripting Requirements for intraLATA long distance services.

Respectfully submitted this 11th day of October 2007.

AT&T FLORIDA



E. Earl Edenfield, Jr.

Tracy W. Hatch

Manuel A. Gurdian

c/o Gregory R. Follensbee

150 South Monroe Street

Suite 400

Tallahassee, Florida 32301

(305) 347-5558



Lisa S. Foshee

AT&T Southeast

675 West Peachtree Street, Suite 4300

Atlanta, Georgia

(404) 335-0750