

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF STAFF RULE DEVELOPMENT WORKSHOP

TO

ALL INTERESTED PERSONS

UNDOCKETED

IN RE: INITIATION OF RULEMAKING TO AMEND RULE 25-4.034, FLORIDA ADMINISTRATIVE CODE, TARIFFS, TO ADD RULE 25-4.0341, FLORIDA ADMINISTRATIVE CODE, FILING OF SERVICE SCHEDULES, AND TO REPEAL RULE 25-24.825, PRICE LIST

ISSUED: November 14, 2011

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission Staff has initiated rulemaking to amend Rule 25-4.034, Florida Administrative Code, to add Rule 25-4.0341, Florida Administrative Code, and to repeal Rule 25-24.825, Florida Administrative Code, to comply with recent changes to section 364.04(1), Florida Statutes, which permits telecommunications companies the option of filing published service schedules either with the Commission or through other reasonably publicly accessible means, including on a website, and which provides that the Commission shall have no jurisdiction over the content or form or format of such published schedules. Rule 25-4.034, Florida Administrative Code, would require local exchange telecommunications companies to maintain tariffs on file with the Commission setting forth all intrastate rates, terms and conditions for network access services pursuant to section 364.163, Florida Statutes, and would otherwise simplify requirements when schedules or tariffs are published with the Commission. Rule 25-4.0341, Florida Administrative Code, would offer limited guidance to telecommunications companies choosing to file service schedules with the Commission.

A staff rule development workshop, to which all persons are invited, will be held at the following time and place:

Monday, December 5, 2011, at 1:30 p.m.
Room 148, Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, FL 32399-0862.

A copy of the draft rules and the agenda for the workshop are attached. One or more Commissioners may be in attendance and participate in the workshop. The person to be contacted regarding the proposed rule development is Rosanne Gervasi, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850) 413-6224,

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rgervasi@psc.state.fl.us. For telephone participation in the workshop, please dial 1-888-808-6959, code 413-6261.

If you wish to comment but cannot attend the workshop, please submit your comments to: Rosanne Gervasi, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0852 (850) 413-6224.

In accordance with the Americans with Disabilities Act, persons requiring a special accommodation to participate at this workshop should contact the Office of Commission Clerk no later than five days prior to the workshop at 2540 Shumard Oak Boulevard., Tallahassee, Florida 32399-0850, via 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD), Florida Relay Service.

By DIRECTION of the Florida Public Service Commission this 14th day of November, 2011.



ANN COLE
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
(850) 413-6770
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FLORIDA PUBLIC SERVICE COMMISSION

AGENDA

STAFF WORKSHOP

IN RE: INITIATION OF RULEMAKING TO AMEND RULE 25-4.034, FLORIDA
ADMINISTRATIVE CODE, TARIFFS, TO ADD RULE 25-4.0341, FLORIDA
ADMINISTRATIVE CODE, FILING OF SERVICE SCHEDULES, AND TO REPEAL RULE
25-24.825, PRICE LIST

Monday, December 5, 2011, at 1:30 p.m.
Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee, Florida 32399-0850

1. Staff overview of draft rule
2. Comments and alternative suggestions from interested persons
3. Discussion of suggested changes and timeframes for next steps
4. Adjournment

1 **25-4.034 Network Access Tariffs.**

2 (1) Pursuant to Section 364.163, F.S., ~~Except to the extent otherwise permitted by Section~~
3 ~~364.051(5)(a), F.S.,~~ each local exchange telecommunications company shall maintain on file
4 with the Commission tariffs which shall set forth all intrastate rates, terms and conditions
5 charges for network access customer services, ~~the classes and grades of service available to~~
6 ~~subscribers, the conditions and circumstances under which service will be furnished, and all~~
7 ~~general rules and regulations governing the relation of customer and company. The rates and~~
8 ~~charges for contract service arrangements for an individual customer need not be filed where~~
9 ~~the company's tariff provides a description of the circumstances under which such~~
10 ~~arrangements are offered for specified tariffed services.~~

11 (2) Filing shall mean received by the office of the Division of Regulatory Analysis during
12 normal business hours. Any tariff received by the Division of Regulatory Analysis after 5:00
13 p.m. shall be considered filed on the next regular business day. All proposed changes to an
14 existing tariff that are submitted by hard copy shall be directed to the Director of the Division
15 of Regulatory Analysis, Florida Public Service Commission, 2540 Shumard Oak Boulevard,
16 Tallahassee, FL 32399-0850 or shall be filed electronically pursuant to the requirements set
17 forth at <http://www.psc.state.fl.us/utilities/telecomm/>. Hard copy filings ~~and~~ shall include an
18 original and one (1) copy ~~two (2) copies~~ of each revised tariff sheet. A letter of transmittal
19 shall accompany each tariff filing, which lists the included sheets, by sheet number and
20 revision level as specified in paragraphs (3) ~~6~~(c)-(e), and gives a brief description of all
21 changes. If acknowledgment of a hard copy filing is desired, the letter of transmittal shall be
22 sent in duplicate with a request that the duplicate be returned and a postage paid envelope
23 shall be provided for that purpose.

24 (3) Network access tariffs shall comply with the following conventions:

25 (a) Each sheet shall have a left-hand margin of at least 3/4". All sheets and copies must be
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existing law.

1 clear and legible. Tariffs shall be in loose leaf form on 8 1/2" × 11" sheets, typewritten on
2 white paper, using one side of the paper only.

3 (b) Each sheet shall bear the name of the company, as certificated with the Commission and
4 the effective date of the sheet.

5 (c) Every sheet in the tariff shall be numbered.

6 (d) Each sheet in the tariff shall be marked "Original Sheet" in the upper right-hand corner
7 of the sheet. As an example: Original Sheet No. 4, or Original Sheet No. 5.2.

8 (e) Revised sheets in the tariff shall be marked with the number of the revision in the upper
9 right-hand corner and the number of the sheet it replaces. As an example: First Revised Sheet
10 No. 4, Cancels Original Sheet No. 4.

11 (f) The network access tariffs shall contain at a minimum the following:

12 1. Table of Contents and Index. All network access tariffs shall have a table of contents
13 identifying the page location of each section in the tariff.

14 2. Symbols Used in Tariff Filings. All symbols shall be defined in the network access tariff.
15 Symbols used to indicate rate changes shall appear on the right hand side of each rate change
16 sheet on the same line(s) in which any change has been made. If three or more consecutive
17 lines of text are affected, one symbol shall be placed on the right hand margin on the first and
18 last lines with a vertical line connecting the two symbols. Two or more symbols shall be
19 placed next to each other on any line with multiple types of changes.

20 3. Technical Terms and Abbreviations. This section shall contain all company-specific
21 technical and special terms and abbreviations used in the network access tariff. Each company
22 shall file, as an integral part of its tariff, maps defining the exchange service areas. These maps
23 shall delineate the boundaries in sufficient detail that they may be located in the field and shall
24 embrace all territory included in the certificate of convenience and necessity.

25 (4) Each telecommunications company shall make available for public inspection upon
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1 ~~request, either a printed copy or an electronic copy of its retail tariffs.~~

2 ~~(5) Companies shall charge only the rates and credits contained in their tariff. If a company~~
3 ~~desires to deviate temporarily from its normal tariffed rates and credits, the company shall file~~
4 ~~a single tariff change reflecting the conditions of the temporary tariff change. Such tariff~~
5 ~~provision shall include the heading "Promotion," and shall state the name of the promotion, a~~
6 ~~specific description of the tariffed service(s) involved, including all applicable rates, benefits,~~
7 ~~terms, and conditions, and the beginning and ending dates of the promotion.~~

8 ~~(6) Tariffs shall comply with the following conventions:~~

9 ~~(a) Each sheet shall have a left hand margin of at least 3/4". All sheets and copies must be~~
10 ~~clear and legible. Tariffs submitted in hard copy form shall be in loose leaf form on 8 1/2" x~~
11 ~~11" sheets, typewritten on white paper, using one side of the paper only.~~

12 ~~(b) Each sheet shall bear the name of the company, as certificated with the Commission, the~~
13 ~~name and title of the issuing officer, and the effective date of the sheet.~~

14 ~~(c) Every sheet in the tariff shall be numbered.~~

15 ~~(d) Each initially approved sheet in the tariff shall be marked "Original Sheet" in the upper~~
16 ~~right hand corner of the sheet. As an example: Original Sheet No. 4, or Original Sheet No.~~
17 ~~5.2.~~

18 ~~(e) Revised sheets in the tariff shall be marked with the number of the revision in the upper~~
19 ~~right hand corner and the number of the sheet it replaces. As an example:~~

20 ~~First Revised Sheet No. 4~~

21 ~~Cancels Original Sheet No. 4~~

22 ~~(f) The tariffs shall contain at a minimum the following:~~

23 ~~1. Table of Contents and Index. All tariffs shall have a table of contents identifying the page~~
24 ~~location of each section in the tariff. Each section shall also be individually indexed by~~
25 ~~subject.~~

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1 ~~2. Symbols Used in Tariff Filings. Symbols used in any proposed change to the existing~~
2 ~~tariff shall appear on the right hand side of each sheet on the same line(s) in which any change~~
3 ~~has been made. If three or more consecutive lines are affected, one symbol shall be placed on~~
4 ~~the first and last lines with a vertical line connecting the two symbols. Two or more symbols~~
5 ~~shall be placed next to each other on any line with multiple types of changes. The symbol page~~
6 ~~shall identify all symbols used in the tariff.~~

7 ~~3. Technical Terms and Abbreviations. This section shall contain all technical and special~~
8 ~~terms and abbreviations used in the tariff.~~

9 ~~(7) With each filing, the company shall provide a coded copy of each tariff sheet filed~~
10 ~~showing changes to the existing tariff sheet. Changes shall be indicated by inserting and~~
11 ~~underlining new words; words to be deleted shall be lined through with hyphens.~~

12 *Rulemaking Authority 350.127(2), 364.01 FS. Law Implemented 364.01, 364.04, 364.163 FS.*

13 *History—New 3-31-76, Amended 11-29-82, Formerly 25-4.34, Amended 9-13-88, 4-16-90, 3-*
14 *10-96, 1-25-09, XX-XX-XX.*

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1 **25-4.0341 Filing of Service Schedules.**

2 (1) Telecommunications companies electing to file service schedules with the Florida Public
3 Service Commission, shall file an original and one (1) copy of all new service schedules and
4 proposed changes to existing service schedules with the Director of the Division of Regulatory
5 Analysis, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee,
6 Florida 32399-0850, or shall file electronically pursuant to the requirements set forth at
7 http://www.psc.state.fl.us/utilities/telecomm/. Any schedule received by the Division of
8 Regulatory Analysis after 5:00 p.m. shall be considered filed on the next regular business day.
9 A letter of transmittal shall accompany each filing, which lists the included sheets, by sheet
10 number and revision level, and give a brief description of all changes. If acknowledgment of a
11 hard copy filing is desired, the letter of transmittal shall be sent in duplicate with a request that
12 the duplicate be returned and a postage paid envelope shall be provided for that purpose.
13 (2) Each local telecommunications company that elects not to file service schedules with the
14 Commission shall notify the Division of Regulatory Analysis at the address listed in (1) of the
15 location where such service schedules are available to its customers.
16 Rulemaking Authority 350.127(2) FS. Law Implemented 364.04 FS. History—New XX-XX-XX.

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1 ~~25-24.825 Price List.~~

2 ~~(1) Prior to providing service, each company subject to these rules shall file and maintain with~~
3 ~~the Commission a current price list which clearly sets forth the following information for the~~
4 ~~provision of residential dial tone, single line business dial tone, and dial tone with any~~
5 ~~combination of the services included as part of basic local telecommunications services, as~~
6 ~~defined in Section 364.02(2), F.S. If residential dial tone, single line business dial tone, or dial~~
7 ~~tone with any combination of the services included as part of basic local telecommunications~~
8 ~~service is offered on a package basis, the following information must be provided for each~~
9 ~~package:~~

10 ~~(a) Current prices,~~

11 ~~(b) Customer connection charges,~~

12 ~~(c) Billing and payment arrangements, and~~

13 ~~(d) Levels of service quality which the company holds itself out to provide for each service.~~

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

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

19 ~~(4) Price lists must be on 8 1/2 by 11 inch paper in loose leaf form and must utilize an ongoing~~
20 ~~page identification system which will allow for the identification of inserted and removed~~
21 ~~pages. The color of paper on which price lists are filed must be amenable to being clearly~~
22 ~~photocopied on standard photocopy equipment.~~

23 ~~(5) Complete information concerning a company's service offerings, rates and charges,~~
24 ~~conditions of service, service quality, terms and conditions, service area, and subscribership~~
25 ~~information identified by local exchange company exchange must be made available to~~

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1 ~~Commission staff upon request.~~

2 *Rulemaking Authority 350.127(2) FS. Law Implemented 364.04, 364.337(5) FS. History--New*

3 *12-27-95, Amended 4-8-98, Repealed XX-XX-XX.*

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