

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a) DOCKET NO. 900823-TL
certificate to provide inter-) ORDER NO. PSC-92-1081-FOF-TL
exchange telecommunications) ISSUED: 09/30/92
services by STOREFINDER, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER REQUIRING LOCAL EXCHANGE
COMPANIES TO FILE TARIFFS

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

I. BACKGROUND

On October 10, 1990, Storefinder, Inc. (Storefinder), a wholly owned subsidiary of Domino's Pizza (Domino's), filed an application for an interexchange telephone company certificate in order to obtain Feature Group B access service (FGB) with Automatic Number Identification (ANI). Domino's goal is to obtain through Storefinder a single local seven-digit phone number (950-1430) throughout the United States (except Alaska) and to route that number to the Domino's store located closest to where each call originates. By Order No. 24386, issued April 18, 1991, we found that Storefinder did not meet the requirements for certification as an interexchange telecommunications carrier.

However, we provided for Storefinder to receive geographically limited experimental usage of local exchange company (LEC) Feature Group B (FGB) access service with automatic number identification (ANI). FGB service provides for a high quality trunk line connection from end central office to the toll carrier's facilities. ANI identifies the telephone number of the line initiating a call in order to send this information to the message accounting apparatus. Under the experiment, when a customer places

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a call by dialing the Domino's Pizza number, the call is routed to a switching device called a Digital Link Splicer in an AT&T central office. The splicer queries a database containing local phone numbers, the call is then automatically routed to the store that delivers pizza in that area.

We placed two restrictions on Domino's when the Storefinder trial was authorized. First, the customer's ANI could not be delivered to the individual Domino's stores. ANI could only be used for routing purposes. Second, resale of FGB with ANI by Domino's was prohibited.

Storefinder began processing customer calls on June 3, 1991, in the Jacksonville LATA. Since that time, Southern Bell Telephone and Telegraph Company (Southern Bell) has processed ten's of thousands of calls to Domino's with no significant problems.

On July 27, 1992, Storefinder requested that the local exchange companies make existing Feature Group B interconnection service with ANI available on a statewide and permanent basis. Additionally, Storefinder requested that service be provided by Feature Group B over D facilities and that the ANI be allowed to be delivered to individual Domino's stores. We will address the request to make the offering statewide and permanent. However, we need to gather more information before we can reach a decision regarding ANI delivery and feature group B over D.

II. DECISION

Southern Bell has been providing Domino's with FGB with ANI for more than a year. Neither Southern Bell nor Domino's have experienced serious problems with the service. The Storefinder trial has been well received and Southern Bell has expressed a willingness to tariff the offering. The parties in this Docket have filed no unfavorable comments concerning the trial. We note that the service applies usage sensitive rates to what would otherwise be a flat rated local call and that FGB access rates are structured by all of the Florida LECs to fully recover costs.

Upon review, we shall order all of the Florida LECs to revise their Access Services Tariffs (Section E2) to allow the purchase of Feature Group B with ANI by end use customers where facilities permit. Each LEC must file a permanent tariff for this service by January 1, 1993, and follow-up with a report on the service one year later. Due to privacy concerns regarding the delivery of ANI and statutory limitations regarding the sale of telecommunications service, tariffs shall state that the service will be provided only

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to end users who certify that they will use ANI exclusively for routing purposes and that the service will not be resold.

The Storefinder trial has been conducted in Southern Bell's territory with an expiration date of September 30, 1992. Domino's has requested that we extend the experimental offering until the service can be offered on a permanent basis. Upon review, we find it appropriate to extend the trial until a permanent Southern Bell tariff offering FGB with ANI to end users is approved.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Storefinder trial shall be extended until such time as a permanent tariff for Southern Bell Telephone and Telegraph Company to offer Feature Group B with ANI is approved. It is further

ORDERED that local exchange companies shall file tariffs by January 1, 1993, to allow the purchase of Feature Group B with ANI by end use customers where facilities permit. Such tariffs shall contain the limitations discussed in the body of this Order. Local exchange companies shall file by January 1, 1994, a report regarding the service which shall include a discussion of any problems with providing the service. It is further

ORDERED that protest to this Proposed Agency Action shall be severable by local exchange companies. If any local exchange company fails to protest this Order, the action proposed herein shall be final and effective as to such local exchange company. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission this 30th day of September, 1992.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

by: Kay Helman
Chief, Bureau of Records

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on October 21, 1992.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.