

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of) DOCKET NO. 920793-TL
tariff filing to introduce the) ORDER NO. PSC-92-1278-FOF-TL
Operator Assisted Premium Plan) ISSUED: 11/09/92
by BELLSOUTH TELECOMMUNICATIONS,)
INC. d/b/a SOUTHERN BELL)
TELEPHONE AND TELEGRAPH COMPANY.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

ORDER APPROVING TARIFF

BY THE COMMISSION:

This tariff filing proposed by Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) introduces the Operator Assisted Premium Plan, which allows a premium or commission to be paid on 0+ and 0- Southern Bell operator assisted intraLATA toll calls. Customers who qualify for this plan must have operator service charges and intraLATA toll usage in excess of \$10,000 per month, aggregated either statewide or by Regional Accounting Office (RAO), depending on customer preference.

Alternate Operator Services providers (AOS's) and Interexchange Carriers (IXC's) who offer operator services have offered to pay commissions to some of Southern Bell's largest traffic aggregators, which includes payphone providers. These companies have offered commissions to encourage customers to send their 0+ and 0- intraLATA toll traffic over the companies' facilities for operator handling and call completion. Despite the Commission's policy that 0+ and 0- intraLATA toll traffic go to the LEC, Southern Bell believes that some call aggregators use redialers, which redials calls dialed 0+ or 0- as 10XXX. Southern Bell is concerned about losing this traffic to those companies. This tariff filing enables Southern Bell to keep the intraLATA 0+ and 0- traffic from large traffic aggregators.

The Premium Plan is structured to offer premiums or commissions to Southern Bell's traffic users who send Southern Bell

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a threshold amount of intraLATA toll operator served 0+ and 0- traffic during the monthly period. These customers will be paid a variable premium based upon the total amount of 0+ and 0- revenue resulting from traffic and operator charges originating from a telephone line associated with the customer's account. The Premium Plan schedule will be applied to the subscribing customer's account monthly.

In addition, qualifying customers who sign an agreement with Southern Bell will receive additional premiums for those 0+ and 0- intraLATA calls carried by the Company and billed by the Company to a BellSouth Calling Card. Further, the plan awards additional premiums based upon the length of time the customer sends 0+ and 0- traffic to BellSouth.

Upon each anniversary of the plan participation agreement, the customer's premium will increase. On each anniversary date of the agreement, the customer will receive an additional payment based upon a percentage of all revenue billed since the effective date. Premium percentages will continue to increase for a five (5) year period, at which time the premium level will thereafter remain constant and the additional anniversary payments will cease.

Southern Bell estimated the first year premiums associated with the Operator Assisted Premium Plan are expected to be \$36,874. This is offset by retention of existing revenue of \$246,770 by Southern Bell, rather than disseminating this to an AOS provider or IXC who is offering commissions to traffic aggregators for their 0+ and 0- traffic via a 10XXX number.

Although only the aggregator receives the premium and the end user pays the full toll charges and operator assistance charges, the toll rates must continue to cover access charges and the operator assistance charges must cover their costs after the premium is applied.

Therefore, we find it appropriate to approve Southern Bell's proposed tariff filing to introduce the Operator Assisted Premium Plan. Upon request by the Commission, Southern Bell should be prepared to file information regarding the number and amount of premiums given under this plan. If Southern Bell requests the information specified be treated as confidential, the Commission will follow its normal procedures for such a determination. Further, the effective date of this tariff revision is October 21, 1992.

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Therefore, based on the foregoing, it is

ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company's tariff revisions to its General Subscriber Service Tariff are hereby approved to the extent outlined in the body of this order. It is further

ORDERED that the effective date of this tariff revision is October 21, 1992. It is further

ORDERED that if a protest is filed in accordance with the requirements set forth below, the tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest. It is further

ORDERED that if no protest is filed in accordance with the requirements set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 9th day of November, 1992.


STEVE TRIBBLE, Director
Division of Records and Reporting

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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 Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), 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 November 30, 1992.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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 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 date this Order becomes final, 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.