

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the non-	)	DOCKET NO. 900156-TL
recurring charges associated with	)	
"No Sales Solicitation Calls" directory	)	ORDER NO. 23032
listing for all local exchange	)	
telephone companies	)	ISSUED: 6-5-90
	)	

The following Commissioner participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman  
 BETTY EASLEY  
 GERALD L. GUNTER

NOTICE OF PROPOSED AGENCY ACTION  
ORDER TO WAIVE NONRECURRING CHARGES FOR  
"NO SALES SOLICITATION CALLS" DIRECTORY LISTING

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 substantially affected files a petition for formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

The "No Sales Solicitation Calls" listing was established under Sections 365.1655 and 501.059, Florida Statutes, and enables a customer to have an additional line stating, "No Sales Solicitation Calls" placed under his name in the telephone directory. This statute prohibits a telephone solicitor from calling any phone number with this notation in an attempt to sell any product or service unless a prior business relationship has been mutually established.

By Order No. 22541 issued February 13, 1990, the Commission approved a tariff filing by ALLTEL Florida, Inc. (ALLTEL) to waive the nonrecurring charges associated with the "No Sales Solicitation Calls" directory listing sixty (60) days prior to the directory closing date. At that time, the Commission considered the possibility of requiring all LEC's to implement this type of waiver in order to promote subscription to the service.

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On March 27 1990, a data request was mailed to all LEC's in Florida in order to determine how many companies charge a nonrecurring charge for the "No Sales Solicitation Calls" directory listing and how much revenue they would expect to lose if we ordered a sixty (60) day waiver of the nonrecurring charges prior to the directory closing date. Responses to the data request indicated that only two companies (ALLTEL and Central Telephone Company of Florida [Centel]) charge a nonrecurring charge for the listing.

Centel stated that a sixty (60) day waiver would cost them \$4328. In addition, Centel stated in its response that it would not be opposed to a waiver if subscription to the service would be improved. Since the cost to Centel would be relatively small and could improve subscription to the service, we hereby order Centel to waive the nonrecurring charges for a period of sixty (60) days prior to the directory closing date, and to notify customers of the waiver in a bill insert concurrent with the beginning of the waiver period.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Central Telephone Company of Florida shall waive the nonrecurring charges associated with the "No Sales Solicitation Calls" directory listing for a sixty (60) day period immediately prior to the next directory closing date. It is further

ORDERED that if no protest is filed within the time frame set forth below, this docket shall be closed by issuance of the consummating order.

By ORDER of the Florida Public Service Commission,  
this 5th day of JUNE, 1990.

STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

PAK

by: Kay Helton  
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 June 26, 1990.

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, and as reflected in a subsequent order.

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 sewer 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

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Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.