

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

FPSC, CLK - CORRESPONDENCE

✓ Administrative Parties Consumer

DOCUMENT NO. 14661-04

DISTRIBUTION:

DATE: November 5, 2001

TO: Mary Andrews Bane, Deputy Executive Director/Technical

FROM: Kay Flynn, Chief of Records and Hearing Services, Division of the Commission Clerk and Administrative Services

RE: 000733-TL - Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.

Permission is requested to copy four confidential documents from this docket, in order to include them with the record that is being prepared for filing in the Florida Supreme Court, Case No. SC01-2205. The documents are:

06367-00 - BellSouth's Response to staff's informal request concerning price out for the tariff.

06766-01 - BellSouth's Florida Regulatory Meeting - LPC-DCA dated June 9, 1999.

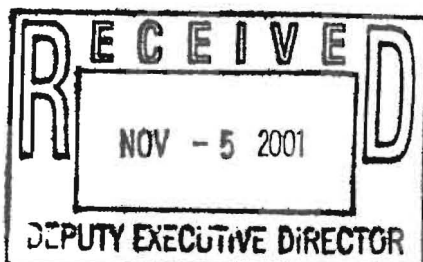
07497-01 - BellSouth's Pages two through six of Attachment 22 (Florida Regulatory Meeting - LPC-DCA dated June 9, 1999).

07636-01 - BellSouth's Item No. 22 (Florida Regulatory Meeting - LPC-DCA dated June 9, 1999).

These documents will be provided to the Court in a sealed envelope, marked "confidential," and BellSouth Telecommunications, Inc. will be advised by letter that they must ask the Court for continued treatment of the documents as confidential.

cc: Blanca S. Bayó
David Smith

ok
MBB
11/5/01



State of Florida



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STATE OF FLORIDA

Commissioners:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAELA A. PALECKI



DIVISION OF THE COMMISSION CLERK
AND ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

October 1, 2001

Thomas D. Hall, Clerk
Supreme Court of Florida
Supreme Court Building
Tallahassee, Florida 32301

FPSC, CLK - CORRESPONDENCE
✓ Administrative Parties Consumer
DOCUMENT NO. 14661-04
DISTRIBUTION: _____

Re: BellSouth Telecommunications, Inc. vs. Lila A. Jaber, et al.
(Docket No. 000733-TL)

Dear Mr. Hall:

Enclosed is a certified copy of a Notice of Administrative Appeal of a Final Order, filed in this office on September 28, 2001, on behalf of BellSouth Telecommunications, Inc. Also enclosed, as an exhibit to the notice is a copy of Order No. PSC-01-1769-FOF-TL.

It is our understanding that the index is due to be served on the parties to this proceeding on or before November 19, 2001.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kay Flynn".

Kay Flynn, Chief
Bureau of Records and Hearing Services

Enclosure

cc: David Smith, Esquire
Raoul G. Cantero, III, Esquire
Charles Beck, Esquire

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

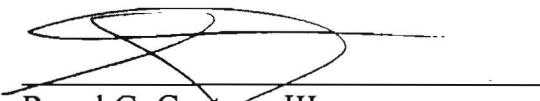
In re: Investigation to determine whether
BellSouth Telecommunications, Inc.'s
tariff filing to restructure its late payment
charge is in violation of Section 364.051,
F.S.

DOCKET NO. 000733-TL
ORDER NO. PSC-01-1769-FOF-TL
FILED: September 27, 2001

NOTICE OF ADMINISTRATIVE APPEAL

NOTICE is given that BellSouth Telecommunications, Inc., pursuant to Rule 9.030(a)(1)(B)(ii), Florida Rules of Appellate Procedure and Section 364.381, Florida Statutes, appeals to the Florida Supreme Court, the Public Service Commission's, Order No. PSC-01-1769-FOF-TL rendered on August 30, 2001. The nature of the order is a final order determining that BellSouth's tariff filing in T-991139 violates Section 364.051(5)(a), Florida Statutes, requiring BellSouth to discontinue assessing the restructured 1.5% interest charge on unpaid balances in excess of \$6.00, and ordering BellSouth to refund all amounts collected. A copy of the order is attached.

ADORNO & ZEDER, P.A.


Raoul G. Cantero, III
Fla. Bar No. 552356
2601 S. Bayshore Drive
Suite 1600
Miami, Florida 33133
Tel. (305) 858-5555
Fax. (305) 858-4777


Attorneys for BellSouth

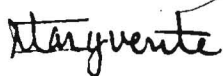
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A TRUE COPY
ATTEST


Chief, Bureau of Records and
Hearing Services

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ADORNO & ZEDER, P.A.

2601 SOUTH BAYSHORE DRIVE • SUITE 1600 • MIAMI, FLORIDA 33133 • TELEPHONE (305) 858-5555 • TELEFAX 858-4777

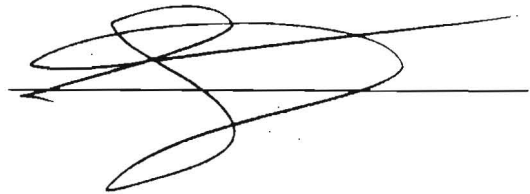
DOCUMENT NUMBER-DATE

12305 SEP 28 2001

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing notice of appeal was served via U.S. Mail this 27th day of September, 2001 upon:

Timothy Vaccaro
Staff Counsel
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

A handwritten signature in black ink, appearing to be a stylized 'S' or 'V' with a horizontal line through it, positioned to the right of the recipient's address.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation to
determine whether BellSouth
Telecommunications, Inc.'s
tariff filing to restructure
its late payment charge is in
violation of Section 364.051,
F.S.

DOCKET NO. 000733-TL
ORDER NO. PSC-01-1769-FOF-TL
ISSUED: August 30, 2001

The following Commissioners participated in the disposition of
this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

FINAL ORDER BELLSOUTH LATE PAYMENT CHARGE
TARIFF FILING

BY THE COMMISSION:

BACKGROUND

On July 9, 1999, BellSouth Telecommunications, Inc. (BellSouth or Company) filed a tariff with this Commission to restructure its Late Payment Charge (LPC) in Section A2 of its General Services Tariff (GST). Under this tariff filing, BellSouth applies a Late Payment Charge of \$1.50 for residential customers and \$9.00 for business customers plus an interest charge of 1.50% on unpaid balances in excess of \$6.00. Prior to this filing, BellSouth applied a Late Payment Charge of 1.50% to any unpaid balance greater than \$1.00.

As a price-regulated Local Exchange Company, BellSouth's filings are presumptively valid, pursuant to Section 364.051(5)(a), Florida Statutes, and may go into effect fifteen (15) days after the filing. BellSouth's filing became effective July 24, 1999, in accordance with Section 364.051(5)(a), Florida Statutes. The tariff provisions became effective August 28, 1999.

In August 1999, we first expressed our concerns to BellSouth about possible statutory violations regarding its Late Payment Charge tariff filing. We were made aware of ongoing discussions between BellSouth and the Office of Public Counsel (OPC) on this same filing. In view of the ongoing discussions between BellSouth and OPC, BellSouth requested that we allow the negotiations to continue in an effort to resolve the matter. BellSouth furnished us with a letter stating that BellSouth would provide refunds to affected customers if the Late Payment Charge is ultimately found to be unlawful.

On June 19, 2000, this docket was established to investigate whether BellSouth's tariff filing to restructure its late payment charge is in violation of Section 364.051, Florida Statutes. By Order No. PSC-00-1357-PAA-TL, issued July 27, 2000, as a proposed agency action, we found BellSouth's July 9, 1999, tariff filing revising its Late Payment Charge in Section A2 of its General Subscriber Service Tariff and Section B2 of its Private Line Services Tariff in violation of Section 364.051(5)(a), Florida Statutes. We also ordered that the tariffs remain in effect for 30 days from the issuance of the Order. If a timely protest of Order No. PSC-00-1357-PAA-TL was filed, then the tariffs were to remain in effect pending the outcome of a hearing with any revenues resulting from the tariff held subject to refund.

On August 17, 2000, BellSouth timely petitioned for a formal hearing. By Order No. PSC-00-2458-PSC-TL, issued December 20, 2000, OPC's Notice of Intervention was acknowledged. By Order No. PSC-00-2279-PCO-TL, a hearing was scheduled for April 18, 2001. On December 11, 2000, BellSouth and OPC filed a Joint Motion to Amend Procedural Schedule.

The parties stated that the procedure established for this docket was based on Section 120.57(1), Florida Statutes. BellSouth and OPC requested that the case proceed pursuant to Section 120.57(2), Florida Statutes, and the procedural order be amended to reflect this change. The parties asserted that a joint stipulation of the facts could be reached constituting the evidentiary record, and that a briefing schedule was appropriate. Thus, by Order No. PSC-01-0228-PCO-TL, issued on January 23, 2001, the hearing was cancelled and the parties were directed, instead, to file briefs.

At the issue identification meeting held on November 6, 2000, the following issues were identified:

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation to
determine whether BellSouth
Telecommunications, Inc.'s
tariff filing to restructure
its late payment charge is in
violation of Section 364.051,
F.S.

DOCKET NO. 000733-TL
ORDER NO. PSC-01-1769-FOF-TL
ISSUED: August 30, 2001

The following Commissioners participated in the disposition of
this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
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At the issue identification meeting held on November 6, 2000, the following issues were identified:

1. Is BellSouth's interest charge of 1.50% on unpaid balances, as filed in T-991139, a rate element of an existing service that is subject to the provisions of Section 364.051(5)(a), Florida Statutes?
2. Is the interest charge filed by BellSouth in T-991139 a "new service" for the purposes of Section 364.051(5)(a), Florida Statutes?
3. Does BellSouth's tariff filing (T-991139) violate Section 364.051(5)(a), Florida Statutes? If so, what amount needs to be refunded, and how should the refund be determined and made effective?

As laid out, we find that Issue 3 is broad enough to allow us also to address both Issues 1 and 2 under it. We find that this is the most efficient way of addressing the issues in this proceeding.

We are vested with jurisdiction pursuant to Section 364.051(5)(a), Florida Statutes.

BELLSOUTH LATE PAYMENT CHARGE TARIFF FILING

Section 364.051(5)(a), Florida Statutes, allows telecommunications companies subject to this section to maintain tariffs for their nonbasic services with us. Changes to these tariffs are presumptively valid and become effective with fifteen days' notice. The key provision of Section 364.051(5)(a), Florida Statutes, states that rate increases:

. . . for any nonbasic service category shall not exceed 6 percent within a 12-month period until there is another provider providing local telecommunications service in an exchange area at which time the price for any nonbasic service category may be increased in an amount not to exceed twenty percent within a 12-month period, and the rate shall be presumptively valid.

BellSouth has been a price-regulated LEC since January 1, 1996, and thus is subject to Section 364.051(5)(a), Florida Statutes. Until this filing, BellSouth had charged both residential and business customers a late payment penalty fee of 1.50% on any unpaid balance greater than \$1.00. BellSouth called this late payment penalty fee a "late payment charge." Prior to this filing, BellSouth's late payment charge was classified in the miscellaneous nonbasic services basket. Now, BellSouth's late payment penalty consists of a fixed rate of \$1.50 and \$9.00 for residential and business

customers, respectively, and a 1.50% rate applicable to any unpaid balance in excess of \$6.00. However, BellSouth distinguishes the two late payment penalties (the fixed and percentage rates) for purposes of monitoring compliance with Section 364.051(5)(a), Florida Statutes. Although the flat charges are included in the miscellaneous nonbasic services basket, BellSouth contends that the 1.50% interest charge applicable to any unpaid balance in excess of \$6.00 is not subject to Section 364.051(5)(a), Florida Statutes. Alternatively, BellSouth suggests that should we rule that the interest charge is subject to Section 364.051(5)(a), Florida Statutes, then we should find that the interest charge is a new service and, therefore, is exempt from the miscellaneous services basket calculations.

At the crux of this proceeding is the question of whether BellSouth's change of the name and threshold level for a given penalty fee can exclude the revenue realized from this penalty fee from being considered part of BellSouth's telecommunications services revenue, even though BellSouth's core business is in telecommunications services.

Arguments

In its brief, the Office of Public Counsel representing the Citizens of Florida (OPC), assert that BellSouth has assessed a 1.50% monthly fee on a customer's unpaid balance in excess of \$1.00 for approximately thirteen years. OPC argues that BellSouth's tariff revision of July 9, 1999, created a "new" monthly charge of 1.50% on an end user's unpaid balance in excess of six dollars and named it an interest charge, in addition to the new fixed charge of \$1.50 for residential customers and \$9.00 for business customers. OPC further argues that "except for the new name and threshold amount, this 1.5% charge on late payments is identical to the late payment charge that had been in existence for approximately thirteen years."

In its brief, OPC state that although Chapter 364, Florida Statutes, does not define the term "service," Section 364.02(11), Florida Statutes, states that the term "service" should be construed in its broadest and most inclusive sense. OPC contends that the 1995 re-write of Chapter 364, Florida Statutes, does not provide the slightest hint that it was the legislative intent to exclude late payment or interest charges from any form of price regulation. OPC asserts that:

[T]he broad and all inclusive construction of the term "service," together with the residual definition for the term "nonbasic service," lead inescapably to the conclusion that the late payment charge, which was in existence long before the re-write of [C]hapter 364, must be included in the definition of nonbasic service.

According to OPC, BellSouth had generally treated the 1.50% monthly charge it assessed customers on any unpaid balances in excess of \$1.00 as a nonbasic service until its proposed restructuring in 1999. OPC argues that on numerous occasions, BellSouth continued to assert "that its late payment charge -- a 1.5% charge on unpaid balances in excess of \$1.00 -- was a nonbasic service." OPC maintains that BellSouth itself, in construing the legislative intent of the 1995 re-write of Chapter 364, Florida Statutes, ". . . declared [that] its 1.5% late payment fee to be a non basic service." OPC insists that throughout the entire period when we worked to implement the new law (the 1995 re-write of Chapter 364, Florida Statutes), BellSouth represented its 1.50% fee for late payment as a nonbasic service. OPC continues that even in June 1997, BellSouth continued to maintain that its 1.50% late payment fee on unpaid balances in excess of \$1.00 was a nonbasic service, when BellSouth included the 1.50% fee in the miscellaneous category of the nonbasic services basket in a tariff filing that sought to increase this fee from 1.50% to 1.63%. OPC further argues that in its June 1997 filing, BellSouth indicated that the proposed increase for the late payment charge from 1.50% to 1.63% was still within the allowable 6% increase to the miscellaneous nonbasic services category.

OPC argues that regardless of what BellSouth calls it, [I]f the previous late payment charge of 1.5% on unpaid balances in excess of \$1.00 belonged to the miscellaneous nonbasic service category, then the so-called new interest charge of 1.5% on unpaid balances in excess of \$6.00 also belongs to the category, no matter what BellSouth calls it.

OPC concludes that the nature of the charge does not change simply because the name is changed.

In its brief, BellSouth argues that its interest charge is not a "derivative telecommunications service," and it is not "another rate element"; instead, it is a fee designed to recover the costs for the loss of use of monies as BellSouth, American Express or Ford Motor Credit all impose. Further, BellSouth argues that since

an interest charge is a type of service distinct from telecommunications, it is therefore neither a telecommunications service nor part of a telecommunications service. BellSouth thus concludes that "an interest charge cannot be a nonbasic service governed by section 364.051(5)(a)."

In its brief, BellSouth states that the interest charge is not a fee "... for a telecommunications service and, therefore, is not subject to Section 364.051(5)(a) as a rate element of any existing nonbasic telecommunications service covered by the statute." BellSouth continues that the statutes define nonbasic service "as any telecommunications service provided by a local exchange telecommunications company other than a basic local telecommunications service, a local interconnection arrangement . . ., or a network access service." BellSouth argues that we previously determined that a service is not a "telecommunications service" just because it is provided by a telecommunications company; instead, a service is determined to be a telecommunications service because of its "functional analysis."¹ BellSouth further argues that federal law uses the same functional analysis to determine whether a service is a telecommunications service. BellSouth notes that the D.C. Circuit Court ruled that "[W]hether an entity in a given case is to be considered a common carrier' and, thus, regulated like a telephone company, turns not on that entity's usual status but 'on the particular practice under surveillance.'" BellSouth contends that applying this functional analysis to its late payment interest charge "demonstrates that BellSouth's interest charge is not a telecommunications service," for the simple fact that an interest charge lacks the transmission of information characteristics of a telecommunications service. BellSouth asserts that "[R]ecouping the cost of the loss of use of money, whether under a narrow or the 'broadest and most inclusive' definition of that term, is obviously not telecommunications."

BellSouth argues that the late payment interest charge is not a "fee for any service, new or old, regulated by Section 364.051(5)(a)." However, BellSouth argues that should we find that the late payment interest charge is a nonbasic service, BellSouth proposes that we construe the late payment interest charge as a new service in the nonbasic services miscellaneous basket category. BellSouth contends that for us to rule otherwise, we "would work

¹ Staff understands BellSouth's use of the term "functional analysis" to mean that a service is classified by examining its nature and use(s). (Order No. PSC-96-1545-FOF-TP at 4)

considerable unfairness on BellSouth, contrary to the directions of the Florida legislature." BellSouth states that the late payment interest charge that it instituted in 1986 was designed to "recoup the 'costs of collection' on delinquent accounts." However, BellSouth argues that the restructured interest charge allows BellSouth to recover "the costs imposed by untimely payment alone, such as the cost of borrowing money to meet cashflow needs or loss of the interest BellSouth could have earned on the money if paid on time." Thus, BellSouth asserts that the restructured interest charge ". . . pays for a new service, loss of the use of money," which although different from the late payment charge, yet both interest charges have a similar trigger -- a customer's action of untimely payment. BellSouth contends that the fact that a customer's single action triggers two charges is not sufficient reason to construe the charges to be rate elements of a single telecommunications service. BellSouth therefore argues that

[B]ecause BellSouth has never previously imposed an interest charge on late payments, it should be treated as a new service, even though the imposition of that charge is triggered by an event that also results in the imposition of an existing charge, namely the late payment charge.

BellSouth contends that treating the restructured interest charge as a new rate element of an existing telecommunications service effectively punishes BellSouth for instituting the 1986 late payment charge.

BellSouth argues that its tariff does not violate Section 364.051(5)(a), Florida Statutes, and that the restructuring of its late payment charge from a variable to a fixed amount is allowed under the price cap provisions in Section 364.051(5)(a), Florida Statutes, for nonbasic services. Therefore, BellSouth argues that its restructured interest charge does not violate Section 364.051(5)(a), Florida Statutes, because it recovers the cost of money and is also governed by the usury laws. BellSouth further argues that even if we rule that the restructured interest charge is a telecommunications service, we should nevertheless rule that the restructured interest charge is ". . . a new service because BellSouth has never before imposed a charge based on the costs of delayed payment." BellSouth concludes that if the restructured interest charge is determined to be an unlawful increase to the nonbasic services miscellaneous basket, BellSouth proposes to calculate customers' refunds based on the amounts paid under the restructured interest charge from August 1999 through the date on

which our decision becomes final and non-appealable. BellSouth states that it will refund each customer

. . . the amount of interest paid during this period. If possible, such refunds will be made by crediting the amount of interest charged on the customer's bill. When BellSouth cannot provide a refund through bill credits, it will send the customer a draft for the appropriate amount.

BellSouth will make such refunds within 120 days of the date on which the decision of this Commission becomes final and nonappealable.

Decision

In Order No. PSC-01-0228-PCO-TL, the parties agreed to stipulate to the facts in this proceeding. Order No. PSC-01-0228-PCO-TL at 3. Thus, there are no factual disputes between the parties. Some of the pertinent facts that have been stipulated:

- In 1986, BellSouth instituted a late payment charge as a variable amount of 1.50% on all unpaid balances in excess of \$1.00 of a customer's bill.
- In 1996, BellSouth represented to staff that its Late Payment Charge belongs in the miscellaneous basket of the nonbasic services category.
- Although the filing was later withdrawn, in 1997, BellSouth filed a proposed tariff revision to increase its Late Payment Charge from 1.50% to 1.63%. BellSouth represented this proposed filing as revisions to its miscellaneous basket of the nonbasic services category.
- In 1999, BellSouth filed a tariff revision to restructure its Late Payment Charge into a fixed rate of \$1.50 and \$9.00 for residential and business customers, respectively, and a variable rate of 1.50% on all unpaid balances in excess of \$6.00.

The question remaining before us is how Section 364.051(5)(a), Florida Statutes, applies to BellSouth's 1999 tariff filing that restructured its 1986 Late Payment Charge. BellSouth has represented that the 1986 Late Payment Charge belongs in the

miscellaneous basket category of the nonbasic services. However, with BellSouth's restructuring of the 1986 Late Payment Charge into fixed and variable charges for both residential and business customers, BellSouth now contends that the variable percentage charge should not be included in the miscellaneous basket of the nonbasic services category; thus, it is not subject to Section 364.051(5)(a), Florida Statutes.

BellSouth argues that Section 364.051(5)(a), Florida Statutes, is not applicable to the new interest charge and would have us believe that the restructured interest charge is not a telecommunications service. BellSouth argues that "[T]he interest charge pays for a new service, loss of the use of money" However, we find that the term "service" should be construed in the "broadest" sense of the word. We find that BellSouth's interest charge is a "service" that BellSouth renders to its delinquent telecommunications customers. We believe that through the use of its interest charge, BellSouth is able to keep these delinquent customers as telecommunications subscribers. The alternative is for BellSouth to terminate the accounts of all delinquent customers. We find that the interest charge is a "service" BellSouth renders its delinquent customers for carrying their unpaid balances. In turn, BellSouth uses the realized revenues to offset the loss of use of the unpaid monies.

We note that BellSouth argues that the interest charge ". . . lacks the characteristic - the transmission of information - found in the other services regulated as telecommunications services under the price cap statute." However, we conclude that a functional analysis of the interest charge, based on its nature and use, shows that it is assessed on a customer's use of telecommunications service with the desired result being to improve cashflow for BellSouth's telecommunications services' operations. We believe that absent BellSouth's core telecommunications operations, BellSouth would not have the ability to assess this interest charge on its customers. Therefore, we conclude that the restructured interest charge is a derivative service stemming from BellSouth's telecommunications operations. We find the revenues derived from the interest charge shall be construed as part of BellSouth's telecommunications operations. As such, this revenue shall be included in the miscellaneous nonbasic services category along with the fixed rated Late Payment Charge.

BellSouth further asserts that if we conclude that the restructured interest charge is a telecommunications service, it should be considered a new service for purposes of price-cap

treatment. For monitoring compliance with Section 364.051(5)(a), Florida Statutes, revenues for a new nonbasic service are excluded from the basket calculation for the first twelve (12) months that the service is offered. Thereafter, these revenues become part of the basket's benchmark revenues. However, in filing its tariff revision to restructure its Late Payment Charge, nowhere in that filing did BellSouth ever indicate that it was introducing a new service in the form of an interest charge. Instead, BellSouth stated that

[T]his tariff will revise the Late Payment Charge for Florida subscribers. Effective August 28, 1999, the Late Payment Charge for residence subscribers will be \$1.50 **plus an interest charge** of 1.5 percent on the unpaid balance. Also, effective August 28, 1999, the Late Payment Charge for business subscribers will be \$9.00 **plus an interest charge** of 1.5 percent on the unpaid balance.

See Attachment - A, Letter. (emphasis added). BellSouth represented this filing as a mere tariff revision simply intended to restructure its Late Payment Charge into a flat charge and a variable percentage rate of 1.50%. In numerous places in that filing, BellSouth represented the interest charge to be in addition to the fixed rate using words like "plus," and "will add an." See Attachment - A, Letter and Executive Summary. In the revised tariff pages, BellSouth indicated that the interest charge was a change in regulations or tariffs, using the tariff revision symbol of "C," as opposed to a tariff revision symbol of "N," which denotes a new rate, regulation or text. See Attachment - A, Third Revised Page 19.

We are not convinced that the revised interest charge is a new service. Even if the interest charge is intended to recover the cost of money, this by itself is not sufficient to make the revised interest charge a new service. To be classified as a new service, the interest charge will have to service a "concern" or "issue" that BellSouth has never addressed. This is not the case, because the 1986 Late Payment Charge was aimed at recovering "... the costs associated with administering the collection process ..." on a customer's delinquent account. Similarly, the new interest charge is aimed at recovering "... the cost of money associated with delinquent payments." It is clear that both the 1986 Late Payment Charge and the 1999 new interest charge are associated with delinquent customer's accounts. Thus, we believe that the new interest charge is an expansion of BellSouth's 1986 late payment

fee, as stated in BellSouth's July 6, 2000, correspondence to Mrs. Bayo. This correspondence reads in part:

On July 7, 1999, BellSouth filed a tariff restructuring its late payment charge and adding a new interest charge. Specifically, BellSouth restructured its 1.5% late payment charge to a flat rate fee of \$1.50 for residence customers and \$9.00 for business. **The tariff was further revised so that the late payment charge would apply only to past due accounts greater than \$6.00.** A new charge of 1.5% was added as an **interest charge** to recover the cost of money associated with delinquent payments. **The interest charge is applied only to past due accounts greater than \$6.00.**

(emphasis added). We observe that although BellSouth argues that the fixed rate Late Payment Charge and the new interest charge are separate charges in its July 6, 2000 correspondence, BellSouth represented to us that both the fixed rate Late Payment Charge and the new interest charge are applied to a customer's past due account over \$6.00.

Comparing the structures of the 1986 Late Payment Charge and the 1999 Late Payment Charge, the charges in both filings are triggered by a customer's non-payment of telecommunications services. Thus, we do not find that either of the rate elements in the 1999 filing constitutes a new service; instead, BellSouth has merely introduced a new method of assessing a penalty on late payments.

Using BellSouth's calculations in this filing, the revenue impact of the restructure to a fixed late payment penalty (i.e., \$1.50 Late Payment Charge for residential and \$9.00 Late Payment Charge for business customers) increases the miscellaneous services basket by 5.01%. See, Attachment - A, Price Out. We note that the revenue impact of the 1.50% interest charge (that BellSouth argues should not be included in the basket calculation) is approximately 10 times the fixed Late Payment Charge. See, Attachment - A, Executive Summary. At this rate, the effective price increase to the Miscellaneous Services Basket is in excess of 50%. We conclude that absent the separation of these penalties as BellSouth contends is appropriate, BellSouth is clearly in violation of Section 364.051(5)(a), Florida Statutes, and Order No. PSC-96-0012-FOF-TL, issued January 4, 1996.

**Change in Basket due to BellSouth's LPC
 Restructuring**

	Current Basket Revenue	Proposed Basket Revenue	Change in Basket Revenue	% change in Basket Revenue
Rate Element				
Miscellaneous Basket	\$44,808,752	\$44,808,752	0	
1986 1.50% LPC (on unpaid balances greater than \$1.00)	0	(\$30,258,230)	(\$30,258,230)	
1999 Fixed LPC (Res. & Bus.)	0	32,500,923	32,500,923	
Sub-Total (per BellSouth)	\$44,808,752	\$47,051,445	\$2,242,693	5.01
1999 1.50% Interest Charge (on unpaid balances greater than \$6.00)	0	23,636,356	23,636,356	
(Basket) Grand Total	\$44,808,752	\$70,687,801	\$25,879,049	57.75

We agree with BellSouth that revenues from new services are not initially included for purposes of basket monitoring. However, the new interest charge is an expansion of BellSouth's 1986 Late Payment Charge, intended to recover the loss of the use of customers' unpaid monies. Therefore, we find that BellSouth's tariff restructuring adds another rate element (i.e., the percentage interest charge in addition to the "fixed dollar"

charge) to the existing late payment charge, and shall not be construed to be the same as introducing a new telecommunications service. Thus, the reclassified 1.50% interest charge (which was formerly the Late Payment Charge) results in an increase in late payment revenues, regardless of what it is called, and shall therefore be included in the basket calculation.

We agree with OPC that since the 1986 Late Payment Charge belonged in the miscellaneous services basket, then the restructured interest charge should likewise be so classified, regardless of what it is called. We again observe that BellSouth's filing to restructure its Late Payment Charge lacks the necessary tariff revisions symbol which would indicate that BellSouth had intended for the restructured interest charge to be construed as a new service. See, Attachment - A, Third Revised Page 19. Indeed, BellSouth's tariff filing appears to indicate that BellSouth intended for this tariff filing to be a tariff revision to "add" a new rate element to the existing late payment penalty charge. See, Attachment - A, Executive Summary. Therefore, we find that the record does not support BellSouth's assertion that its restructured interest charge is not a part of BellSouth's late payment charge. We believe that the restructured interest charge is not a new service; instead, we conclude that the restructured interest charge is another rate element of BellSouth's late payment penalty fee structure, even if designed to recover a different cost than the fixed rate Late Payment Charge. Thus, we find that since the 1986 late payment charge belonged in the miscellaneous services basket for purposes of monitoring compliance with Section 364.051(5)(a), Florida Statutes, the new rate element shall likewise be included in the miscellaneous services basket. We agree with OPC that the "nature of the charge does not change simply by changing its name."

Looking at BellSouth's tariff filing to restructure its 1986 Late Payment Charge as part of the miscellaneous services basket, it is obvious that the BellSouth filing is in violation of Section 364.051(5)(a), Florida Statutes. However, the parties seemingly agree that the fixed rate portion of BellSouth's Late Payment Charge restructuring is part of the miscellaneous services basket, and that it is not in violation of the 6% price increase cap. BellSouth has proposed that if we find that the new interest charge on unpaid balances over \$6.00 is in violation of Section 364.051(5)(a), Florida Statutes, we should allow it to refund the monies that it has collected as a result of the new interest charge. OPC did not brief this issue. Any refunds related to the Late Payment Charge would be governed by Rule 25-4.114, Florida Administrative Code, and the tariff provisions that were in effect

at the time of BellSouth's tariff filing. As a practical matter, it is nearly impossible to calculate accurately who would be due a refund based on the tariff provisions in effect prior to July 9, 1999. For example, it would be virtually impossible to estimate how many customers have unpaid balances falling within the gap between \$1.00 and \$6.00. Therefore, BellSouth has proposed to refund all the monies it has collected from applying the 1.50% on unpaid balances over \$6.00, and we find that this is reasonable since this is the portion of the restructuring that is contested. Thus, we agree with BellSouth that the refund should be based on ". . . the amount of interest paid during this period." Pursuant to Rule 25-4.114(1), Florida Administrative Code, we may order refunds in a manner we deem appropriate. Therefore, we find that BellSouth's proposal to refund customers based on all the monies it has collected from applying the 1.50% on unpaid balances over \$6.00, with interest, is appropriate in this situation.

Based on foregoing, we find that BellSouth's July 9, 1999, tariff filing restructured its 1986 Late Payment Charge into fixed and variable rate elements. We further find that even if the two rate elements are designed to recover different costs with respect to delinquent customer accounts, the two rate elements together constitute BellSouth's late payment charge. Thus, we conclude that the interest charge is not a "new" service and that the revenues realized from the interest charge, just like the revenues realized from the fixed rate Late Payment Charge, belong in the miscellaneous services basket for monitoring compliance with Section 364.051(5)(a), Florida Statutes.

Therefore, we find that BellSouth's tariff filing in T-991139 violates Section 364.051(5)(a), Florida Statutes, and that BellSouth shall discontinue assessing the restructured 1.50% interest charge on unpaid balances in excess of \$6.00 upon the issuance of the Order. BellSouth shall refund all amounts collected through the restructured interest charge of 1.50% on all unpaid balances in excess of \$6.00, with interest, to all affected customers within 120 days of a final order. We further find that this refund shall be made in the form of a credit to the customer's bill. Where BellSouth cannot provide a refund through a bill credit, BellSouth shall send the customer a check for the appropriate amount.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that BellSouth Telecommunication's tariff filing in T-991139 violates

ORDER NO. PSC-01-1769-FOF-TL
DOCKET NO. 000733-TL
PAGE 15

Section 364.051(5)(a), Florida Statutes, and that BellSouth Telecommunications, Inc. shall discontinue assessing the restructured 1.50% interest charge on unpaid balances in excess of \$6.00 upon the issuance of this Order. It is further

ORDERED that BellSouth Telecommunications, Inc. shall refund all amounts collected through the restructured interest charge of 1.50% on all unpaid balances in excess of \$6.00, with interest, to all affected customers within 120 days of a final order. It is further

ORDERED that this refund shall be made in the form of a credit to the customer's bill. Where BellSouth Telecommunications, Inc. cannot provide a refund through a bill credit, BellSouth Telecommunications, Inc. shall send the customer a check for the appropriate amount. It is further

ORDERED that Attachment A is attached to this Order and incorporated herein.

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 30th day of August, 2001.

/s/ Blanca S. Bayó

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

This is a facsimile copy. Go to the Commission's Web site, <http://www.floridapsc.com> or fax a request to 1-850-413-7118, for a copy of the order with signature.

(S E A L)

SOME (OR ALL) ATTACHMENT PAGES ARE NOT ON ELECTRONIC DOCUMENT.

PAC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services 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 after the issuance 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.



BellSouth Telecommunications, Inc. ESF 224-7700
Suite 400 Fax ESF 224-5673
150 South Monroe Street
Tallahassee, Florida 32301-1326

Marshall M. Erbes, III
Regulatory Vice President

T-991139

RECEIVED

JUL 09 1999

CMU

July 9, 1999

Mr. Walter D'Hasselaar
Director, Division of Communications
Florida Public Service Commission
2540 Shumard Oak Boulevard
Gerald L. Gunter Building, Room 270
Tallahassee, Florida 32399-0850

Dear Mr. D'Hasselaar:

Pursuant to Florida Statute 364.051, we are filing a revision to our General Subscriber Service Tariff. Following are the affected pages.

General Subscriber Service Tariff

Section A2 - Third Revised Page 19
- Second Revised Page 20

Private Line Service Tariff

Section B2 - First Revised Page 34

This tariff filing will revise the Late Payment Charge for Florida subscribers. Effective August 28, 1999, the Late Payment Charge for residence subscribers will be \$1.50 plus an interest charge of 1.5 percent on the unpaid balance. Also effective August 28, 1999, the Late Payment Charge for business subscribers will be \$9.00 plus an interest charge of 1.5 percent on the unpaid balance.

The following attachment provides additional supporting and explanatory information for the proposed tariff revision. The attachment contains a comprehensive package which fulfills the basic requirements for supporting data specified in Chapter 25-9 F.A.C.

Attachment A - Executive Summary

Acknowledgment, date of receipt, and authority number of this filing are requested. A duplicate letter of transmittal is attached for this purpose.

Your consideration and approval will be appreciated.

Yours very truly,

Marshall M. Erbes III

Regulatory Vice President

Attachments

T-991139

BellSouth - Florida
Attachment A
Page 1 of 1

EXECUTIVE SUMMARY

Introduction

This tariff filing will revise the Late Payment Charge for Florida subscribers effective August 28, 1999. There will be no changes to the Late Payment Charge for county and municipal governments that will remain at one percent.

Description of Proposed Tariff

Effective August 28, 1999, the proposed tariff will change the Late Payment Charge for residence subscribers to \$1.50 and will add an interest charge of 1.5 percent on the unpaid balance. It will also change the Late Payment Charge for business subscribers to \$9.00 and will add an interest charge of 1.5 percent on the unpaid balance. The other tariff regulations for the Late Payment Charge will remain unchanged. Currently the Late Payment Charge is applied on unpaid balances greater than \$1.00. Under the proposed tariff, the Late Payment Charge and interest charge will only apply on unpaid balances greater than \$6.00.

Revenue/Cost Information

The Company estimates a total incremental Late Payment Charge revenue of \$2,242,693 per year which is within the six percent increase allowed for the Miscellaneous Service Basket. The total incremental revenue as a result of the new interest charge is estimated to be \$23,634,356.

Dkt. No. 000733-TL
August 3, 2001

BELLSONITE
TELECOMMUNICATIONS, INC.
FLORIDA

ISSUED: December 21, 1999 July 9, 1999
BY: Joseph P. Lacher, President-JC
Alaina, Florida

GENERAL SUBSCRIBER SERVICE TARIFF

T = 99.1139

Revised Page 19

Cancel/Withdrawal Page 19

Second

Effective January 1, 2000

July 24, 1999

LEGISLATIVE FORMAT PAGE

A2. GENERAL REGULATIONS

A2.4 Payment Arrangements and Credit Allowances (Cont'd)

A2.4.1 Payment for Service (Cont'd)

- C. Effective August 26, 1999, a Late Payment Charge of \$1.00 plus an interest charge of 1.50 percent on the unpaid balance (C)
including \$6.00 for residential subscribers and a Late Payment Charge of \$2.00 plus an interest charge of 1.50 percent on the
unpaid balance, including \$6.00 for business subscribers, will be applied to each subscriber's bill, (including
amounts billed in accordance with the Company's Billing and Collections Service Tariff) when the previous month's bill has
not been paid in full prior to the next billing date. The 1.50 percent interest charge is applied to the total unpaid amount
carried forward and is included in the total amount due on the current bill. This Tariff shall apply to federal and state
government payments to existing services applicable to their governmental entities. Effective January 1, 1992, county and
municipal governments will be assessed a 1 percent Late Payment Charge in accordance with the provisions of the Florida
Franchise Payment Act, Section 218.70-218.79, Florida Statutes.
- D. Should service be suspended for nonpayment of charges, it will be restored only as provided under "Restoration Charge" in Section A4. of this Tariff.
- E. When the service has been disconnected for nonpayment, the service agreement is considered to have been terminated. Reestablishment of service may be made only upon the execution of a new service agreement which is subject to the provisions of this Tariff.
- F. In its discretion, the Company may restore or reestablish service which has been suspended or disconnected for nonpayment of charges, prior to payment of all charges due. Such restoration or reestablishment shall not be construed as a waiver of any right to suspend or disconnect service for nonpayment of any such or other charges due and unpaid or for the violation of the provisions of this Tariff, nor shall the failure to suspend or disconnect service for nonpayment of any past due amount, or accounts current as a waiver or attempt to suspend or disconnect service for nonpayment of such amount or of any other past due amount.
- G. Bills for service shall not be considered delinquent prior to the expiration of fifteen days from the date of mailing or delivery by the company. However, the company may demand immediate payment under the following circumstances:
1. Where service is terminated or suspended.
 2. Where bill service is two times greater than the subscriber's average usage as reflected on the monthly bills for the three months prior to the current bill or, in the case of a new customer who has been receiving service for less than three months, where the bill service is twice the estimated monthly bill service.
 3. Where the Company has reason to believe that a business subscriber is about to go out of business or that bankruptcy is imminent for that subscriber.
- H. Full Credit Limit (FCL)
- Full Credit Limit (FCL) is an interim phase of bill denial in lieu of local service denial. It offers subscribers the option of toll
restriction while paying a deposit or an overdue bill balance on an installment basis.
1. (BELLSONITE)
 2. The Full Credit Limit process shall apply for subscribers requesting new service with no outstanding bill balance (B)
subscribers requesting new service with unpaid balances from previous service, and for existing subscribers with overdue outstanding charges.
- a. New Service With No Outstanding Charges For Previous Service
When the Company deems it necessary for a subscriber requesting new service to pay a deposit and the subscriber is unable to pay the deposit in full, the subscriber may be allowed to pay the deposit in up to four (4) installments if the subscriber agrees to a full toll restriction of the service. It is no charge, until the deposit is paid in full.
An arrangement may be made to waive the deposits if the subscriber chooses to have a full toll restriction on the requested service until satisfactory credit has been reestablished.
 - b. New Service With Outstanding Charges For Previous Service
Resident subscribers requesting new service who have outstanding charges from previous service with the Company, which have not yet been referred to an outside collection agency, will be allowed to receive full toll restriction of the service until the charges are paid in full. These subscribers can make arrangements to pay the charges in up to four installments.

ATTACHMENT A
Dkt. No. 000733-TL
August 2, 2001

BFI SOUTH
ILLICHOAGUE & TOWNS, INC.
FLORIDA
ISSUED: ~~June 23, 1999~~ July 9, 1999
BY: Joseph P. Lacher, President - FI
Miami, Florida

GENERAL SUTHERLAND SERVICE TARIFF

LEGISLATIVE FORMAT PAGE

Second ~~Original~~ Revised Page 20
Circuit Original Page 20
First Revised
INJECTION: ~~Adrian~~ WILL
July 24, 1999

A2. GENERAL REGULATIONS

A2.4 Payment Arrangements and Credit Allowances (Cont'd)

A2.4.3 Payment for Service (Cont'd)

M. Full Credit Limit (FCL) (Cont'd)

1.2. K (Cont'd)

a. Existing Service

Residence subscribers with overdue bill balances who are unable to pay the charges in full may be allowed to retain their local service if they elect to have a full bill revision placed on their existing service, at no charge, until the charges are paid. These subscribers may arrange to pay the outstanding balance in up to four installment payments.

A2.4.4 Allowances for Service Outages

When the use of service or facilities furnished by the Company becomes unavailable due to any cause other than the negligence or willful act of the subscriber or the failure of the facilities provided by the subscriber, a pro rata adjustment of the fixed monthly charges involved will be allowed, for the service and facilities rendered useless and unresponsive by reason of the service outage during the time the outage continues in excess of twenty-four hours from the time it is reported to or detected by the Company, except as otherwise specified in this tariff. The adjustment shall not be applicable for the time that the Company stands ready to repair the service and the subscriber does not provide access to the Company for such restoration work. For the purpose of administering this regulation, every month is considered to have thirty days.

A2.4.5 Provision for Certain Local Taxes and Fees

When a municipality or political subdivision of the state charges the Company any license, non-residential, franchise, occupation or other similar tax, or fee, whether in a lump sum, or as a flat rate, or based on receipts, or based on poles, wires, conductors or other facilities, the aggregate amount of such taxes and fees will be billed, insofar as practicable, pro rata to exchange subscribers receiving service in the municipality or political subdivision.

A2.4.6 Provision for Certain Local Ordinance Costs

When the Company by virtue of its compliance with a municipal or county ordinance, incurs significant costs that would not otherwise normally be incurred, all such costs shall be billed, insofar as practicable, pro rata, per exchange service line, to those subscribers receiving exchange service within the municipality or county as part of the price for exchange service.

An estimated monthly amount of such costs shall be billed to the affected subscribers each month and an adjustment to reconcile these estimates to the actual costs incurred for the six month periods ending June 30 and December 31 of each year shall be applied.

Charges for permits, licenses or fees required by governing authorities for installing any telephone wire in a building will be billed by the Company to the requesting party.

A2.4.7 Reserved for Future Use

A2.4.8 Variable Term Payment

- A. In the event that all or any part of the service is discontinued at the customer's request prior to the expiration of any selected payment period of greater than one month's duration, the customer will be required to pay the applicable termination charge as noted in the Access Service Tariff, the Private Line Service Tariff and this Tariff. The tariff provisions concerning termination liability shall be inapplicable to any state, county, or municipal governmental entity when there is in effect, as a result of action by such entity and through a duly constituted legislative, administrative, or executive body:

1. a statute;
2. an ordinance;
3. a policy directive; or
4. a constitutional provision

which restricts or prohibits an additional contractual payment for early termination of a contract by any such entity, or agency thereof, due to an unavailability of funding. When service is being provided and funding to the governmental entity for such service becomes unavailable, the governmental entity may cancel the service without additional payment obligation.

RELSOUTER
TELECOMMUNICATIONS, INC.
FLORIDA

PRIVATE LINE SERVICES TARIFF

First Review Report Page 16
LAWSON ORIGINAL PAGE 16

ISSUED: July 1, 1999
BY: Joseph P. Lachar, President-FL
Miami, Florida

LEGISLATIVE FORMAT PAGE

EXPIRATION: July 1, 2000

July 24, 1999

B2. REGULATIONS

B2.4 Payment Arrangements and Credit Allowances (Cont'd)

B2.4.1 Payment of Charges and Deposits (Cont'd)

- B. Applicants for service who have no account with the Company or whose financial responsibility is not a matter of general knowledge, may be required to make an advance payment at the time an application for service is placed with the Company, equal to the service connection or installation charges, if appropriate, and at least one month's charges for the service provided. In addition, where the furnishing of service involves an unusual investment, applicants may be required to make payment in advance of such portion of the estimated cost of the installation or construction as is to be borne by them. The amount of the advance payment is credited to the customer's account on applying in any subsequent order of the customer for the service furnished.
- C. The Company may, in order to safeguard its interests, require an applicant or customer to make such deposit on the Company's order as it may be held by the Company as a guarantee of the payment of charges. The fact that a deposit has been made in no way relieves the applicant or customer from complying with the Company's regulations as to advance payments or the prompt payment of bills on presentation. At such time as the service is terminated the amount of the deposit is credited to the customer's account and any credit balance which may remain is refunded. At the option of the Company such a deposit may be refunded in full or part or applied to the customer at any time prior to the termination of the service. In case of a cash deposit, interest is paid at the rate of 6% per annum to begin and run from the date said deposit is made except that, no interest shall apply on a deposit unless the deposit and the service have been in existence for a continuous period of six months.
- D. The Company reserves the right to increase the deposit requirement when in its judgment the conditions justify such action.
- E. (Effective April 1, 1996, a charge of \$30.00 or 5 percent of the face value of the check, whichever is greater, will apply whenever a check or draft presented for payment for service is not stamped by the institution on which it is written. For a check or draft written prior to this date, a charge of \$15.00 will apply.
- F. (Effective August 28, 1999, a Late Payment Charge of \$1.50 plus an interest charge of 1.5 percent on the unpaid balance exceeding \$4.00 for residential subscribers, and a Late Payment Charge of \$5.00 plus an interest charge of 1.5 percent on the unpaid balance exceeding \$4.00 for business subscribers, will be applied. 1-1/2% applies to each subscriber's automatic bill when the previous month's bill (including amounts billed in accordance with the Company's Billing and Collections Service Tariff) has not been paid in full prior to the next billing date. The 1-1/2% Maximum Interest charge is applied to the total unpaid amount carried forward and is included in the total amount due on the current bill. Late payment charges to governmental entities shall be the maximum allowed by law but no more than 1.0 percent 1-1/2% per month.
- G. At the option of the customer, all nonrecurring charges associated with an order for service may be billed over a three month period subject to the following:
 - 30% of the total nonrecurring charges will be billed in the first monthly billing period after the charges are incurred, and 25% of the total nonrecurring charges plus an Extended Billing Plan Charge will be billed in each of the following two monthly billing periods.
 - The Extended Billing Plan Charge is calculated at a rate of 1.0% per month or 12% annually, on the unbilled balance of the nonrecurring charges.
 - If the customer discontinues service before the expiration of the plan period, all unbilled charges plus the Extended Billing Plan charge, if applicable, will be included in the final bill rendered.
 - If the customer fails to make any of the payments prior to the next billing date there is no payment charge as specified in F. provided will apply.

Note: This is shown as non-due to release of all Tariff Rules. No charges in case of regulations were made with this filing.

Note 1.3: Nonpayment of this charge will not constitute sufficient cause for interruption or curtailment of service.

BELLSOUTH
TELECOMMUNICATIONS, INC.
FLORIDA
ISSUED: July 9, 1999
BY: Joseph P. Lacher, President -FL
Miami, Florida

GENERAL SUBSCRIBER SERVICE TARIFF

Third Revised Page 19
Cancel Second Revised Page 19

EFFECTIVE: July 24, 1999

A2. GENERAL REGULATIONS

A2.4 Payment Arrangements and Credit Allowances (Cont'd)

A2.4.3 Payment for Service (Cont'd)

- C. *Effective August 28, 1999, a Late Payment Charge of \$1.50 plus an interest charge of 1.5 percent on the unpaid balance exceeding \$4.00 for residential subscribers and a Late Payment Charge of \$1.00 plus an interest charge of 1.5 percent on the unpaid balance exceeding \$4.00 for business subscribers will be applied to each subscriber's bill, (including amounts billed in accordance with the Company's Billing and Collections Services Tariff) when the previous month's bill has not been paid in full prior to the next billing date. The 1.5 percent interest charge is applied to the total unpaid amount carried forward and is included in the total amount due on the current bill. This Tariff shall apply to federal and state government payments to existing accounts applicable to those governmental entities. Effective January 1, 1992, county and municipal governments will be assessed a 1.0 percent Late Payment Charge in accordance with the provisions of the Florida Prompt Payment Act, Section 218.70-218.77, Florida Statutes.*
- D. Should service be suspended for nonpayment of charges, it will be restored only as provided under "Restoration Charge" in Section A4. of this Tariff.
- E. When the service has been disconnected for nonpayment, the service agreement is considered to have been terminated. Reestablishment of service may be made only upon the execution of a new service agreement which is subject to the provisions of this Tariff.
- F. In its discretion, the Company may restore or reestablish service which has been suspended or disconnected for nonpayment of charges, prior to payment of all charges due. Such restoration or reestablishment shall not be construed as a waiver of any rights to suspend or disconnect service for nonpayment of any such or other charges due and unpaid or for the violation of the provisions of this Tariff, nor shall the failure to suspend or disconnect service for nonpayment of any past due amounts or amounts operate as a waiver or attempt to suspend or disconnect service for nonpayment of such amount or of any other past due amount.
- G. Bills for service shall not be considered delinquent prior to the expiration of fifteen days from the date of mailing or delivery by the company. However, the company may demand immediate payment under the following circumstances:
1. Where service is terminated or abandoned.
 2. Where toll service is two times greater than the subscriber's average usage as reflected on the monthly bills for the three months prior to the current bill or, in the case of a new customer who has been receiving service for less than four months, where the toll service is twice the estimated monthly toll service.
 3. Where the Company has reason to believe that a business subscriber is about to go out of business or that bankruptcy is imminent for that subscriber.
- H. Toll Credit Limit (TCL)
- Toll Credit Limit (TCL) is an interim phase of toll denial in lieu of local service denial. It offers subscribers the option of toll restriction while paying a deposit or an over-due bill balance on an installment basis.
1. The Toll Credit Limit process shall apply for subscribers requesting new service with no outstanding bill balance, subscribers requesting new service with unpaid balances from previous service, and for existing subscribers with overdue outstanding charges.
 - a. **New Service With No Outstanding Charges For Previous Service**
When the Company deems it necessary for a subscriber requesting new service to pay a deposit and the subscriber is unable to pay the deposit in full, the subscriber may be allowed to pay the deposit in up to four (4) installments if the subscriber agrees to a full toll restriction of the service, at no charge, until the deposit is paid in full.
An arrangement may be made to waive the deposit if the subscriber chooses to have a full toll restriction on the requested service until satisfactory credit has been established.
 - b. **New Service With Outstanding Charges For Previous Service**
Residence subscribers requesting new service who have outstanding charges from previous service with the Company, which have not yet been referred to an outside collection agency, will be allowed to obtain full toll restriction of the service until the charges are paid in full. These subscribers can make arrangements to pay the charges in up to four installments.

BELLSOUTH
TELECOMMUNICATIONS, INC.
FLORIDA
ISSUED: July 9, 1999
BY: Joseph P. Lacher, President -FL
Miami, Florida

GENERAL SUBSCRIBER SERVICE TARIFF

EFFECTIVE: July 24, 1999

A2. GENERAL REGULATIONS

A2.4 Payment Arrangements and Credit Allowances (Cont'd)

A2.4.3 Payment for Service (Cont'd)

H. Toll Credit Limit (TCL) (Cont'd)

1. (Cont'd)

c. Existing Service

Residence subscribers with overdue bill balances who are unable to pay the charges in full may be allowed to retain their local service if they elect to have a full toll restriction placed on their existing service, at no charge, until the charges are paid. These subscribers may arrange to pay the outstanding balance in up to four installment payments.

A2.4.4 Allowance for Service Outages

When the use of service or facilities furnished by the Company becomes unavailable due to any cause other than the negligence or willful act of the subscriber or the failure of the facilities provided by the subscriber, a pro rata adjustment of the fixed monthly charges involved will be allowed, for the service and facilities rendered useless and inoperative by reason of the service outage during the time the outage continues in excess of twenty-four hours from the time it is reported to or detected by the Company, except as otherwise specified in this tariff. The adjustment shall not be applicable for the time that the Company stands ready to repair the service and the subscriber does not provide access to the Company for such restoration work. For the purpose of administering this regulation, every month is considered to have thirty days.

A2.4.5 Provision for Certain Local Taxes and Fees

When a municipality or political subdivision of the state charges the Company any license, occupational, franchise, inspection or other similar tax or fee, whether in a lump sum, or at a flat rate, or based on receipts, or based on poles, wires, conduits or other facilities, the aggregate amount of such taxes and fees will be billed, insofar as practical, pro rata to exchange subscribers receiving service in the municipality or political subdivision.

A2.4.6 Provision for Certain Local Ordinance Costs

When the Company by virtue of its compliance with a municipal or county ordinance, incurs significant costs that would not otherwise normally be incurred, all such costs shall be billed, insofar as practical, pro rata, per exchange access line, to those subscribers receiving exchange service within the municipality or county as part of the price for exchange service.

An estimated monthly amount of such costs shall be billed to the affected subscribers each month and an adjustment to reconcile these estimates to the actual costs incurred for the six month periods ending June 30 and December 31 of each year shall be applied.

Charges for permits, licenses or fees required by governing authorities for installing any telephone wire in a building will be billed by the Company to the requesting party.

A2.4.7 Reserved for Future Use

A2.4.8 Variable Term Payment

- A. In the event that all or any part of the service is disconnected at the customer's request prior to the expiration of any selected payment period of greater than one month's duration, the customer will be required to pay the applicable termination charge as stated in the Access Service Tariff, the Private Line Service Tariff and this Tariff. The tariff provisions concerning termination liability shall be inapplicable to any state, county, or municipal governmental entity when there is in effect, as a result of action by such entity and through a duly constituted legislative, administrative, or executive body:

1. a statute
2. an ordinance
3. a policy directive, or
4. a constitutional provision

which restricts or prohibits an additional contractual payment for early termination of a contract by any such entity, or agency thereof, due to an unavailability of funding. When service is being provided and funding to the governmental entity for such service becomes unavailable, the governmental entity may cancel the service without additional payment obligation.

BELLSOUTH
TELECOMMUNICATIONS, INC.
FLORIDA
ISSUED: July 9, 1999
BY: Joseph P. Lacher, President -FL
Miami, Florida

PRIVATE LINE SERVICES TARIFF

First Revised Page 14
Cancel Original Page 14

EFFECTIVE: July 24, 1999

B2. REGULATIONS

B2.4 Payment Arrangements and Credit Allowances (Cont'd)

B2.4.1 Payment of Charges and Deposits (Cont'd)

- B. Applicants for service who have no account with the Company or whose financial responsibility is not a matter of general knowledge, may be required to make an advance payment at the time an application for service is placed with the Company, equal to the service connection or installation charges, if applicable, and at least one month's charges for the service provided. In addition, where the furnishing of service involves an unusual investment, applicants may be required to make payment in advance of such portion of the estimated cost of the installation or construction as is to be borne by them. The amount of the advance payment is credited to the customer's account or applying to any indebtedness of the customer for the service furnished.
- C. The Company may, in order to safeguard its interest, require an applicant or customer to make such deposit as the Company deems suitable to be held by the Company as a guarantee of the payment of charges. The fact that a deposit has been made in no way relieves the applicant or customer from complying with the Company's regulations as to advance payments or the prompt payment of bills on presentation. At such time as the service is terminated the amount of the deposit is credited to the customer's account and any credit balance which may remain is refunded. At the option of the Company such a deposit may be refunded in all or part or credited to the customer at any time prior to the termination of the service. In case of a cash deposit, interest is paid at the rate of 6% per annum to begin and run from the date said deposit is made except that, an interest shall apply on a deposit unless the deposit and the service have been in existence for a continuous period of six months.
- D. The Company reserves the right to increase the deposit requirement when in its judgment the conditions justify such action.
- E. Effective April 1, 1996, a charge of \$20.00 or 5 percent of the face value of the check, whichever is greater, will apply whenever a check or draft presented for payment for service is not accepted by the institution on which it is drawn. For a check or draft written prior to this date, a charge of \$15.00 will apply.
- F. Effective August 26, 1999, a Late Payment Charge of \$2.50 plus an interest charge of 1.5 percent on the unpaid balance exceeding \$4.00 for residential subscribers and a Late Payment Charge of \$5.00 plus an interest charge of 1.5 percent on the unpaid balance exceeding \$4.00 for business subscribers will be applied to each subscriber's bill when the previous month's bill (including amounts billed in accordance with the Company's Billing and Collections Services Tariff) has not been paid in full prior to the next billing date. The 1.5 percent interest charge is applied to the total unpaid amount carried forward and is included in the total amount due on the current bill. Late payment charges to governmental entities shall be the maximum allowed by law but no more than 1.5 percent per month.
- G. At the option of the customer, all nonrecurring charges associated with an order for service may be billed over a three month period subject to the following:
- 50% of the total nonrecurring charges will be billed in the first monthly billing period after the charges are incurred, and 25% of the total nonrecurring charges plus an Extended Billing Plan Charge will be billed in each of the following two monthly billing periods.
 - The Extended Billing Plan Charge is calculated at a rate of 1.0% per month or 12% annually, on the unbilled balance of the nonrecurring charges.
 - If the customer discontinues service before the expiration of the plan period, all unbilled charges plus the Extended Billing Plan charge, if applicable, will be included in the final bill rendered.
 - If the customer fails to make any of the payments prior to the next billing date these late payment charges as specified in F. preceding will apply.

Note 1: Nonpayment of this charge will not constitute sufficient cause for interruption or discontinuation of service.

NIGHT 11/1/98 Miscellaneous Service		Market Basket Summary of Annual Revenue		Docket 0-25 Run Date : 05/31/99	
UNOFFICIAL					
SERVICE ID NAME (1)	SERVICE DESCRIPTION (2)	PERMANENT REVENUE TOTAL (3)	PERMANENT REVENUE TOTAL (4)	% REVENUE CHANGE (5)	PERCENT CHANGE (6)
2901	RETURNED CHECK/BANK DRAFT - MISC	84,343,900	84,343,900	10	0.0%
2902	LATE PAYMENT CHARGES - MISC	850,200,230	832,500,923	82,842,693	7.4%
2904	APARTMENT OWN AMENITIES SERVICES - MISC	834,000	834,000	10	0.0%
2907	911 EMERGENCY SERVICE - SALES TELEPHONE SYSTEM - ONE OPT INC	890,962	890,962	10	0.0%
2908	TELECOMMUNICATION INC. PRIORITY (TSP) SYSTEM - MISC	83,722	83,722	10	0.0%
2907	AUXILIARY EQUIPMENT - MISC	836,000	836,000	10	0.0%
2908	EMERGENCY 911 EMERGENCY SERVICE - MISC	89,790,000	89,790,000	10	0.0%
2909	EQUIPMENT FOR DISABLED CUSTOMERS - EQUIPMENT SALE - MISC	837,742	837,742	10	0.0%
2910	EQUIPMENT FOR DISABLED CUSTOMERS - RENTALS-TO-RENTS - MISC	832,739	832,739	10	0.0%
2911	EMERGENCY REPAIRING SERVICE - MISC	89,530	89,530	10	0.0%
2912	MISCELLANEOUS EQUIPMENT - MISC	8794,574	8794,574	10	0.0%
2913	TROUBLE LOCATION CHARGE - MISC	81,000	81,000	10	0.0%
TOTAL		844,080,752	847,051,443	82,842,693	5.0%

State of Florida
 Miscellaneous Service

Market Basket Summary of Annual Revenues

Market Basket 12/98
 Page 1 of 1
 Run Date: 05/31/99

NEWSPAPER A

LINE NUMBER	DESCRIPTION	FORMULA	PRESENT YEAR (\$)
1.	TOTAL PRICE REGULATION INDEX		100.0000
2.	PERCENT CHANGE ALLOWED		0.0000
3.	NEW PRICE REGULATION INDEX	$(1 + (1 \times 2))$	100.0000
4.	CURRENT SPI	NEWSPAPER A	100.0000
5.	CURRENT SPI LESS THAN OR EQUAL TO NEW PRI		000
6.	EXISTING REVENUE	COLUM 3, NEWSPAPER B	944,888,732
7.	PROPOSED REVENUE	COLUM 4, NEWSPAPER B	947,851,645
8.	CHANGE IN SPI	$(17/16)$	1.0001
9.	NEW SPI	(16×14)	100.0000
10.	NEW SPI LESS THAN OR EQUAL TO NEW PRI		000
11.	REVENUE AVAILABLE FOR ADJUSTMENT	$17 \times (0.1/17) - 1)$	9445,832

MEMORANDUM

October 2, 2001

RECEIVED-FPSC

01 OCT -3 PM 3:57

COMMISSION
CLERK

TO: RICHARD BELLAK, DIVISION OF APPEALS
FROM: DAVID E. SMITH, DIRECTOR OF APPEALS DES/MS
RE: BELLSOUTH TELECOMMUNICATIONS, INC. v. JABER,
ET AL., DOCKET NO. 000733-TL; FLORIDA SUPREME
COURT CASE NO. _____

The above appeal has been assigned to you. The Notice of Administrative Appeal was filed on September 28, 2001. The case schedule is as follows:

<u>Date</u>	<u>Item</u>
From day of filing:	
<u>11/03/01</u>	Draft of Index of Record from CCA to Appeals attorney.
<u>11/17/01</u>	Index of Record served on parties.
<u>11/27/01</u>	Copy of Record to Appeals.
<u>12/07/01</u>	Appellant's Initial Brief Due.
<u>12/22/01</u>	Draft Commission Answer Brief Due.
<u>12/27/01</u>	Commission's Answer Brief Due.
<u>01/16/02</u>	Appellant's Reply Brief Due.

cc: Kay Flynn
Mary Diskerud
Wanda Terrell

COMMISSIONERS:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

STATE OF FLORIDA



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

November 19, 2001

Raoul G. Cantero, III, Esquire
Adorno & Zeder, P.A.
2601 South Bayshore Drive, Suite 1600
Miami, Florida 33133

Re: Supreme Court Case No. SC01-2205 - BellSouth Telecommunications, Inc.
vs. E. Leon Jacobs, Jr., et al. (Docket No. 000733-TL)

Dear Mr. Cantero:

Enclosed is an index to the above-referenced docket on appeal. Please look the index over and let me know if you have any questions concerning the contents of the record.

Counsel for BellSouth Telecommunications, Inc. should note that the last page of the index contains a list of the **confidential documents** that will be filed with the Supreme Court. **Counsel for BellSouth must file a request with the Court in order for confidentiality of the documents to be maintained while in the Court's possession.** The record will be filed in the Court on or before January 17, 2002.

Please do not hesitate to call if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kay Flynn".

Kay Flynn, Chief
Bureau of Records and Hearing Services

mhl
cc: Richard Bellak, Esquire
Stephen H. Grimes, Esquire
Charles J. Beck, Esquire

INDEX

BellSouth Telecommunications, Inc.

vs.

E. Leon Jacobs, Jr., et al.

PSC Docket No. 000733-TL

Supreme Court Case No. SC01-2205

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**DOCUMENTS SUBMITTED IN SEALED ENVELOPE
MARKED "CONFIDENTIAL"**

Response to staff's informal request concerning price out for the tariff filed July 9, 1999,
filed May 23, 2000, on behalf of BellSouth Telecommunications, Inc.

Florida Regulatory Meeting - LPC-DCA dated June 9, 1999, filed May 30, 2001,
on behalf of BellSouth Telecommunications, Inc.

Pages two through six of Attachment 22 (Florida Regulatory Meeting - LPC-DCA
dated June 9, 1999), filed June 15, 2001, on behalf of BellSouth Telecommunications, Inc.

Item No. 22 (Florida Regulatory Meeting - LPC-DCA dated June 9, 1999),
filed June 19, 2001, on behalf of BellSouth Telecommunications, Inc.

STATE OF FLORIDA

Commissioners:
J. TERRY DEASON, CHAIRMAN
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ



DIVISION OF THE COMMISSION CLERK
AND ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

November 19, 2001

Raoul G. Cantero, III, Esquire
Adorno & Zeder, P.A.
2601 South Bayshore Drive, Suite 1600
Miami, Florida 33133

Re: Supreme Court Case No. SC01-2205 - BellSouth Telecommunications, Inc.
vs. E. Leon Jacobs, Jr., et al. (Docket No. 000733-TL)

Dear Mr. Cantero:

I have enclosed an invoice reflecting charges for preparation of the above-referenced record. Please forward a check in the amount indicated, made payable to the Florida Public Service Commission, at your earliest convenience.

Do not hesitate to call if you have any questions concerning this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kay Flynn".

Kay Flynn, Chief
Bureau of Records and Hearing Services

mhl
Enclosure

FLORIDA PUBLIC SERVICE COMMISSION

2540 Shumard Oak Blvd. ♦ Tallahassee, Florida 32399-0850

Date: 11/19/01

To: Raoul G. Cantero, III, Esquire
Adorno & Zeder, P.A.
2601 South Bayshore Drive, Suite 1600
Miami, Florida 33133

Date Paid _____

Amount Paid _____

Check # _____

☐ Check ☐ Cash

PSC Signature _____

8289

↑ ↑
This number must appear on
all checks or correspondence
regarding this invoice.

Please make checks payable to: FLORIDA PUBLIC SERVICE COMMISSION

QUANTITY	DESCRIPTION	PRICE	AMOUNT
849 pgs.	Copying and preparation of Docket 000733-TL on appeal to Supreme Court, Case No. SC01-2205	@.05¢ per page	\$42.45
1	Certificate of Director	@\$4.00	4.00

PSC/RAR-8 Rev. 11/94

TOTAL \$46.45

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY

STATE OF FLORIDA



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYO
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

January 17, 2002

Thomas D. Hall, Clerk
Supreme Court of Florida
Supreme Court Building
Tallahassee, Florida 32301

**Re: Supreme Court Case No. SC01-2205 - BellSouth Telecommunications, Inc.
vs. E. Leon Jacobs, et al. (Docket No. 000733-TL)**

Dear Mr. Hall:

The record in the above-referenced case, consisting of three binders and one sealed envelope marked "confidential," is forwarded for filing in the Court. A copy of the index is enclosed for your use. Parties should replace page three of the index with the enclosed page three. Please initial and date the copy of this letter to indicate receipt.

Do not hesitate to call me at 413-6744 if you have any questions about the contents of this record.

Sincerely,

A handwritten signature in black ink, appearing to read "Kay Flynn".

Kay Flynn, Chief
Bureau of Records and Hearing Services

Enclosure

cc: Raoul G. Cantero, Esquire
Richard Bellak, Esquire
Stephen H. Grimes, Esquire
Charles J. Beck, Esquire

FILED
THOMAS D. HALL
JAN 17 2002

RECEIVED BY _____ DATE _____

CLERK SUPREME COURT
BY A handwritten signature in black ink, appearing to read "Thomas D. Hall".

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY

STATE OF FLORIDA



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYO
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

January 17, 2002

Thomas D. Hall, Clerk
Supreme Court of Florida
Supreme Court Building
Tallahassee, Florida 32301

**Re: Supreme Court Case No. SC01-2205 - BellSouth Telecommunications, Inc.
vs. E. Leon Jacobs, et al. (Docket No. 000733-TL)**

Dear Mr. Hall:

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Sincerely,

A handwritten signature in cursive script, appearing to read "Kay Flynn".

Kay Flynn, Chief
Bureau of Records and Hearing Services

Enclosure

cc: Raoul G. Cantero, Esquire
Richard Bellak, Esquire
Stephen H. Grimes, Esquire
Charles J. Beck, Esquire

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.
 Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____
 Last Day to Suspend: _____

Expiration: _____

Referred to:
 ("()") indicates OPR)

ADM AFA APP CAF (CMP) CMU EAG ECR GCL LEG PAI RAR RGO SER WAW
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Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module A18

Staff Assignments

OPR Staff

Staff Counsel

OCRs ()

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Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with RAR: _____

Initials: OPR _____
 Staff Counsel _____

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level

0

Due Dates

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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	GR	DS	CL	JC	JB		

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

- Prehearing Officer

Commissioners					ADM
GR	DS	CL	JC	JB	

Approved: _____

Date: / /

DOCUMENT NO.

140661-04

Case Assignment and Scheduling Record

Section 1 - Division of Records and Report (RAR) Completes

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.
Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____
Last Day to Suspend: _____

Expiration: _____

Referred to:
("()" indicates OPR)

ADM AFA APP CAF (CMP) CMU EAG ECR GCL LEG PAI RAR RGO SER WAW
_____ X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module A18

Staff Assignments

OPR Staff J Audu, S Simmons

Staff Counsel B Keating

OCRs () _____

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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
Hearing Examiner _____ Staff _____

Date filed with RAR: 06/23/2000

Initials: OPR _____
Staff Counsel _____

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level

0

Due Dates

Previous Current

1. Staff Recommendation	NONE	06/29/2000
2. Agenda	NONE	07/11/2000
3. Standard Order	NONE	07/31/2000
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	GR	DS	CL	JC	JB		
X							

- Prehearing Officer

Commissioners					ADM
GR	DS	CL	JC	JB	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____

Date: 06/23/2000

Case Assignment and Scheduling Record

Section 1 - Division of Records and Report: (RAR) Completes

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.
Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____
Last Day to Suspend: _____

Expiration: _____

Referred to:
("()") indicates OPR)

ADM AFA APP CAF (CMP) CMU EAG ECR GCL LEG PAI RAR RGO SER WAW
_____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module A18

Staff Assignments

OPR Staff J Audu, S Simmons

Staff Counsel L Dandelake, B Keating

OCRs ()

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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
Hearing Examiner _____ Staff _____

Date filed with RAR: 09/05/2000

Initials: OPR _____
Staff Counsel _____

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION.

FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level

1

Due Dates

Previous Current

1. Issue Identification Meeting	NONE	10/30/2000
2. Order Establishing Procedure	NONE	11/27/2000
3. Direct Testimony - Staff	NONE	12/15/2000
4. Direct Testimony - Intervenor, if any	NONE	12/22/2000
5. Rebuttal Testimony - Company	NONE	01/29/2001
6. Surrebuttal	NONE	02/12/2001
7. Prehearing Statements	NONE	03/21/2001
8. Notice of Prehearing and Hearing	NONE	03/21/2001
9. Prehearing	NONE	04/11/2001
10. Prehearing Order	NONE	04/25/2001
11. Hearing	NONE	05/02/2001
12. Transcripts Due	NONE	05/16/2001
13. Briefs Due	NONE	05/30/2001
14. Staff Recommendation	NONE	06/28/2001
15. Agenda	NONE	07/10/2001
16. Standard Order	NONE	07/30/2001
17. Close Docket or Revise CASR	NONE	09/07/2001
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Section 3 - Chairman Completes

Assignments are as follows:

CSRA

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	JC	JB	BB	XX		
X							

- Prehearing Officer

Commissioners					ADM
DS	JC	JB	BB	XX	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: 20/Sm

Date: 09/05/2000

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reports (RAR) Completes

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.
Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____
Last Day to Suspend: _____

Expiration: _____

Referred to:
("()" indicates OPR)

ADM AFA APP CAF (CMP) CMU EAG ECR GCL LEG PAI RAR RGO SER WAW
X X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module A18

Staff Assignments

OPR Staff J Audu, S Simmons

Staff Counsel D Caldwell, B Keating

OCRs ()

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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel
Hearing Examiner Staff

Date filed with RAR: 09/05/2000

Initials: OPR
Staff Counsel

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level

2

Due Dates

Previous Current

1. Direct Testimony - Staff	SAME	12/15/2000
2. Direct Testimony - Intervenor, if any	SAME	12/22/2000
3. Rebuttal Testimony - Company	SAME	01/29/2001
4. Surrebuttal	SAME	02/12/2001
5. Prehearing Statements	SAME	03/21/2001
6. Notice of Prehearing and Hearing	03/21/2001	03/26/2001
7. Prehearing	04/11/2001	04/02/2001
8. Prehearing Order	04/25/2001	04/11/2001
9. Hearing	05/02/2001	04/18/2001
10. Transcripts Due	05/16/2001	05/02/2001
11. Briefs Due	05/30/2001	05/23/2001
12. Staff Recommendation	SAME	06/28/2001
13. Agenda	SAME	07/10/2001
14. Standard Order	SAME	07/30/2001
15. Close Docket or Revise CASR	SAME	09/07/2001
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	JC	JB	BZ	PL		
X							

- Prehearing Officer

Commissioners					ADM
DS	JC	JB	BZ	PL	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: AD/Sm

Date: 12/27/2000

Case Scheduling/Rescheduling Advice

Last Revised 01/26/2001 at 09:43

Page 1 of 1

Printed on 01/26/2001 at 15:43

To:

<input checked="" type="checkbox"/> Commissioner Deason <input checked="" type="checkbox"/> Commissioner Jaber <input checked="" type="checkbox"/> Commissioner Baez <input checked="" type="checkbox"/> Commissioner Palecki <input checked="" type="checkbox"/> Executive Director <input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Deputy Executive Director/Tech <input checked="" type="checkbox"/> Appeals Director <input checked="" type="checkbox"/> Legal Director <input type="checkbox"/> Economic Regulation Director <input checked="" type="checkbox"/> Competitive Services Director <input checked="" type="checkbox"/> Consumer Affairs Director	<input type="checkbox"/> Safety & Electric Reliability Director <input checked="" type="checkbox"/> Records & Reporting Director <input checked="" type="checkbox"/> PAI Director <input type="checkbox"/> Regulatory Oversight Director <input checked="" type="checkbox"/> Court Reporter <input checked="" type="checkbox"/> Staff Contact - Jonathan Audu
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From: Office of Chairman E. Leon Jacobs

Docket Number: 000733-TL

Docket Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference	04/02/2001	Cancelled	Tallahassee, Room 152	2:00 PM - 5:00 PM
Hearing	04/18/2001	Cancelled	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	JC	DS	JB	BZ	PL		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	JC	DS	JB	BZ	PL		
X							

Prehearing Officer

Commissioners						
JC	DS	JB	BZ	PL	ADM	

Commissioners						
JC	DS	JB	BZ	PL	ADM	
		X				

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks:

Case Assignment and Scheduling Record

Section 1 - Division of Records and Repro (RAR) Completes

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.
Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____
Last Day to Suspend: _____ Expiration: _____

Referred to: ADM AFA APP CAF (CMP) CMU EAG ECR GCL LEG PAI RAR RGO SER WAW
("()" indicates OPR) _____ X _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module A18

Staff Assignments

OPR Staff J Audu, S Simmons

Staff Counsel B Keating, P Christensen

OCRs ()

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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel
Hearing Examiner Staff

Date filed with RAR: 01/31/2001

Initials: OPR
Staff Counsel

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level

3

Due Dates

Previous Current

1. Briefs Due	05/23/2001	03/30/2001
2. Staff Recommendation	06/28/2001	05/31/2001
3. Agenda	07/10/2001	06/12/2001
4. Standard Order	07/30/2001	07/02/2001
5. Close Docket or Revise CASR	09/07/2001	08/31/2001
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JC	DS	JB	BZ	PL		
X							

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

PSC/RAR-15 (Rev. 2/00)

* COMPLETED EVENTS

- Prehearing Officer

Commissioners					ADM
JC	DS	JB	BZ	PL	
		X			

Approved: *B. L. Smith*

Date: 01/31/2001

C

Case Assignment and Scheduling Record

Section 1 - Division of Records and Report (RAR) Completes

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.
Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____
Last Day to Suspend: _____

Expiration: _____

Referred to:
("()" indicates OPR)

ADM AFA APP CAF (CMP) CMU EAG ECR GCL LEG PAI RAR RGO SER WAW
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Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module A18

Staff Assignments

OPR Staff J Audu, S Simmons

Staff Counsel B Keating, P Christensen

OCRs ()

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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
Hearing Examiner _____ Staff _____

Date filed with RAR: 04/24/2001

Initials: OPR _____
Staff Counsel _____

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.
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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level

4

Due Dates

Previous Current

1. Briefs Due	03/12/2001	05/30/2001
2. Staff Recommendation	05/31/2001	07/12/2001
3. Agenda	06/12/2001	07/24/2001
4. Standard Order	07/02/2001	08/03/2001
5. Close Docket or Revise CASR	08/31/2001	10/29/2001
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JC	DS	JB	BZ	PL		
X							

- Prehearing Officer

Commissioners					ADM
JC	DS	JB	BZ	PL	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: [Signature]

Date: Pending 5/16/01

Case Assignment and Scheduling Record

Section 1 - Bureau of Records and Hearing ices Completes

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.
 Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____
 Last Day to Suspend: _____

Expiration: _____

Referred to:
 ("()") indicates OPR)

APP CAF CCA (CMP) ECR GCL LEG PAI RGO SER
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Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program/Module A18:A4(b)

Staff Assignments

OPR Staff J Audu, S SimmonsStaff Counsel B Keating, P Christensen

OCRs ()

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Recommended assignments for hearing
 and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with CCA: 07/05/2001

Initials: OPR

Staff Counsel

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT.

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Current CASR revision level

Due Dates

Previous Current

1. Staff Recommendation	07/12/2001	08/02/2001
2. Agenda	07/24/2001	08/14/2001
3. Standard Order	08/03/2001	09/03/2001
4. Close Docket or Revise CASR	10/29/2001	04/26/2002
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JC	DS	JB	BZ	PL		
X							

- Prehearing Officer

Commissioners					ADM
JC	DS	JB	BZ	PL	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman;
 the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is
 assigned the full Commission decides the case.

Approved: 2/1/01Date: Pending

2/16/01

Case Assignment and Scheduling Record

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.
Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____
Last Day to Suspend: _____

Expiration: _____

Referred to:
("()" indicates OPR)

(APP) CAF CCA CMP ECR GCL LEG PAI RGO SER
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Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program/Module A18:A4(b)

Staff Assignments

OPR Staff D Smith

Staff Counsel D Smith

OCRs (CMP) S Simmons

(LEG) B Keating

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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
Hearing Examiner _____ Staff _____

Date filed with CCA: 10/29/2001

Initials: OPR _____
Staff Counsel _____

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Current CASR revision level

Due Dates

5

Previous Current

1. Staff Recommendation	NONE	11/07/2001
2. Agenda	NONE	11/19/2001
3. Standard Order	NONE	12/07/2001
4. Close Docket or Revise CASR	NONE	09/17/2002
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JC	DS	JB	BZ	PL		
X							

- Prehearing Officer

Commissioners					ADM
JC	DS	JB	BZ	PL	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: L. I. sm

Date: 10/29/2001

C

Docket No.	<u>000733-TL</u>	Date Docketed:	<u>06/19/2000</u>	Title:	Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.
Company:	BellSouth Telecommunications, Inc.				

Expiration:

Last Day to Suspend: _____

Referred to:

("()" indicates OPR)

AUS	CAF	CCA	(CMP)	ECR	EXT	GCL	MMS	PIF
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Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A18; A4(b)

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff S Simmons

6 Current CASR revision level

Due Dates	
Previous	Current

Staff Counsel L. Dodson

OCRs

Recommended assignments for hearing
and/or deciding this case:

Full Commission X Commission Panel _____
Hearing Examiner Staff

Date filed with CCA: 01/08/2004

Initials: OPR _____
Staff Counsel

1.	Final BellSouth Refund Report	NONE	01/15/2004
2.	Staff Recommendation	NONE	02/05/2004
3.	Agenda	NONE	02/17/2004
4.	Standard Order	NONE	03/08/2004
5.	Close Docket or Revise CASR	NONE	03/31/2004
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)							
Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
X							

Where panels are assigned the senior Commissioner is Panel Chairman:
the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Commissioners					ADM
BZ	DS	JB	BD	DV	
		X			

Approved: BB/son

Date: 01/08/2004

Section 1 - Bureau of Records and Hearings Services Completes

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.

Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____

Expiration: _____

Last Day to Suspend: _____

Referred to: _____

("C") indicates OPR)

AUS	CAF	CCA	(CMP)	ECR	EXT	GCL	MMS	PIF
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Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A18; A4(b)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff S Simmons, N Pruitt

7

Current CASR revision level

Due Dates

Previous Current

Staff Counsel L Dodson

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
Hearing Examiner _____ Staff _____

Date filed with CCA: 01/27/2004

Initials: OPR _____
Staff Counsel _____

Section 3 - Chairman Completes Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
X							

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
		X			

Approved: BB 1/30/04Date: Pending

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.

Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____
 Last Day to Suspend: _____
 Referred to: _____
 ("C)" indicates OPR)

Expiration: _____

AUS	CAF	CCA	(CMP)	ECR	FLL	GCL	MMS	PIF
			X			X		

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A18; A4(b)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff S Simmons, N Pruitt

8

Current CASR revision level

Due Dates

Previous Current

Staff Counsel J Susac

OCRs

Recommended assignments for hearing
 and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with CCA: 04/06/2004

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
X							

Where panels are assigned the senior Commissioner is Panel Chairman:
 the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is
 assigned the full Commission decides the case.

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
		X			

Approved: BB/hmsDate: Pending 4/12/04

Section 1 - Bureau of Records Complete

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.

Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____
 Last Day to Suspend: _____
 Referred to: _____
 ("C)" indicates OPR)

Expiration: _____

CCA	(CMP)	ECR	FLL	GCL	MMS	PIF	RCA	SCR
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Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A18; A4(b)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff S Simmons, N Pruitt

9

Current CASR revision level

Due Dates

Previous Current

1. Agenda	05/18/2004	06/01/2004
2. Standard Order	06/07/2004	06/21/2004
3. Close Docket or Revise CASR	06/28/2004	07/12/2004
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Recommended assignments for hearing
 and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with CCA: 05/06/2004

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
X							

Where panels are assigned the senior Commissioner is Panel Chairman:
 the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is
 assigned the full Commission decides the case.

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
		X			

Approved: BIB/RmwDate: 05/24/2004

N

Section 1 - Bureau of Records Complet

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.

Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____
 Last Day to Suspend: _____
 Referred to: _____
 ("C") indicates OPR

Expiration: _____

CCA	(CMP)	ECR	FLL	GCL	MMS	PIF	RCA	SCR
	X			X				

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A18; A4(b)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
 IT IS TENTATIVE AND SUBJECT TO REVISION.
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff S. Simmons, N. Pruitt

10

Current CASR revision level

Due Dates

Previous Current

Staff Counsel J. Susac

OCRs

Recommended assignments for hearing
 and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with CCA: 06/08/2004

Initials: OPR _____
 Staff Counsel _____

1.	Revised CASR Due	06/09/2004	07/08/2004
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
X							

Where panels are assigned the senior Commissioner is Panel Chairman:
 the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is
 assigned the full Commission decides the case.

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
		X			

Approved: 1313/rmwDate: 06/09/2004

Section 1 - Bureau of Records Complete

Docket No. 000733-TL Date Docketed: 06/19/2000 Title: Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.

Company: BellSouth Telecommunications, Inc.

Official Filing Date: _____

Expiration: _____

Last Day to Suspend: _____

Referred to: _____

CCA (CMP) ECR FLL GCL MMS PIF RCA SCR

("C") indicates OPR

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A18; A4(b)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

Due Dates

OPR Staff	Staff Assignments	11 Current CASR revision level	Due Dates	
			Previous	Current
	S Simmons			
	C Bulecza-Banks			
	B Casey, N Pruitt			
	C Williams			
		1. Staff Recommendation	NONE	10/21/2004
		2. Agenda (Deferred from 6-1-04)	SAME	11/02/2004
		3. Standard Order	SAME	11/22/2004
		4. Close Docket or Revise CASR	NONE	12/30/2004
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
Hearing _____ Staff _____Date filed with CCA: 10/21/2004

Initials OPR _____

Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BBI/hwDate: 10/21/2004

M E M O R A N D U M

July 26, 2000

RECEIVED-FPSC

00 JUL 27 PM 1:38

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *BK*

RE: DOCKET NO. 000733-TL - INVESTIGATION TO DETERMINE WHETHER
BELLSOUTH TELECOMMUNICATIONS, INC.'S TARIFF FILING TO
RESTRUCTURE ITS LATE PAYMENT CHARGE IS IN VIOLATION OF
SECTION 364.051, F.S.

1357-PAA

Attached is a NOTICE OF PROPOSED AGENCY ACTION ORDER FINDING
TARIFFS IN NON-COMPLIANCE, to be issued in the above-referenced
docket. (Number of pages in order - 8)

BK/anc

Attachment

cc: Division of Competitive Services (Audu)

I: 000733or.bk

Yo -



M E M O R A N D U M

July 25, 2000

✓
RECEIVED-FPSC

00 AUG -1 AM 10:28

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (KEATING) *B/C*

RE: DOCKET NO. 000733-TL - INVESTIGATION TO DETERMINE WHETHER
BELLSOUTH TELECOMMUNICATIONS, INC.'S TARIFF FILING TO
RESTRUCTURE ITS LATE PAYMENT CHARGE IS IN VIOLATION OF
SECTION 364.051, F.S.

1400-PCO

Attached is an ORDER AUTHORIZING QUALIFIED REPRESENTATIVE
STATUS, to be issued in the above-referenced docket.

(Number of pages in order - 2)

MUST GO TODAY

BK/ALC/dm

Attachment

cc: Division of Competitive Services (Audu, Simmons)

I:\000733A.ALC

1f

M E M O R A N D U M

October 26, 2000

RECEIVED-FPSC

00 OCT 27 AM 10:48

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (DANDELAKE) *MLD C.F.E.*

RE: DOCKET NO. 000733-TL - INVESTIGATION TO DETERMINE WHETHER
BELLSOUTH TELECOMMUNICATION INC.'S TARIFF FILING TO
RESTRUCTURE ITS LATE PAYMENT CHARGE IS IN VIOLATION OF
SECTION 364.051, F.S.

Attached is a **MEMORANDUM TO ALL INTERESTED PARTIES**, to be
issued in the above-referenced docket. Please **FAX** to all parties.
(Number of pages - 1)

MLD/dm

Attachment

cc: Division of Competitive Services (Audu)

I: 000733id.mld

*boxed
mailed 40*

13823-00

RAR Official Filing:

11/30/00***10:00 AM*****Matilda Sanders*****1**

Matilda Sanders

PCO - 2279

From: Dorothy Menasco
Sent: Thursday, November 30, 2000 10:00 AM
To: RAR - Orders-Notices
Cc: Susan Howard
Subject: Docket No. 000733-TL - BellSouth Telecommunications, Inc.

10 pgp

RECORDS AND
REPORTING

00 NOV 30 AM 10:40

RECEIVED-FPSC

Sensitivity: Private

The above-referenced order has been transferred to GCORDERS for issuance.

WP file name: 000733oe.mld

Order has been signed by Commissioner Jaber - hard copy will be hand-delivered around 10:30 a.m.

'attach is online'

Order was prepared in WP9.

Atty: Lilja Dandelake

1/0



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: December 7, 2000
TO: Blanca Bayo, Director, Division of Records and Reporting
FROM: Melinda Butler, Assistant to Commissioner Jacobs *MB*
RE: Intercepted Communications From an Interested Person Received in
Docket No. 000733

RECEIVED-FPSC
00 DEC -7 PM 4:30
RECORDS AND
REPORTING

This office has received the attached letter from, Denny R. Wood, President of 1 STOP Service. The correspondence has not been viewed or considered in any way by Commissioner Jacobs. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as COE 91-33-JULY 19, 1991), the letter does not constitute an ex parte communication by virtue of the fact that it was not shown to the Commissioner. Given that it is not an ex parte communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, Florida Statutes. However; in such cases Commissioner Jacobs has requested that a copy of the correspondence and this memo, as a matter of routine, be placed in the correspondence side of the file in this docket.

1 STOP SERVICE BY DENNY WOOD, INC.

18818 S. Dixie Hwy. Miami, FL 33157 Ph:305-253-2563 FAX 256-9185

Located across from Tony Roma's in Cutler Ridge since relocation Dec., 1999

CUSTOM SCREEN PRINTING OF:

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BAGS - TOTES
APRONS
CAR FLAGS
FAMILY REUNIONS
BUSINESS SHIRTS
TEAM UNIFORMS
CLUBS - ETC...
SCREEN PRINTING
EMBROIDERY

SIGN SCREEN PRINTING:

MAGNETIC SIGNS
ALUMINUM SIGNS
DECALS
BUMPER STICKERS

SIGNS & BANNERS:

VINYL LETTERS OR
SCREEN PRINTED
BANNERS
BULLETIN BOARDS

PRINTING SERVICES:

BUSINESS CARDS
COLOR BUSINESS CARDS
PLASTIC BUSINESS CARDS
FLYERS, TICKETS
LETTERHEADS
ENVELOPES
INVOICES
DOOR HANGERS
WEDDING INVITATIONS
& ACCESSORIES
BROCHURE
CHURCH PROGRAMS
LABELS
PRESENTATION FOLDERS
BUSINESS FORMS

PHOTO SHIRTS & CAPS

PHOTOS ON:

MUGS
SHIRTS & CAPS
MAGNETS
MOUSE PADS
PHOTO PUZZLES
PHOTO BUTTONS
PAPER CUBES

DECORATED

SINGLE SHIRTS:

ALL SPECIAL
OCCASIONS & EVENTS

COMPUTER

CONTINUOUS FORMS:

INVOICES, CHECKS
STATIONERY, ETC...

Public Service Commissioners Garcia, Deason, Clark, Jacobs, Jaber

August 13, 2000

Dear Public Service Commissioners:

I have written to you about the \$9.00 fees and interest you have allowed Bell South to tack onto their bills. I protest this strongly and urge you to rescind this new WINDFALL for Bell South. This is unfair.

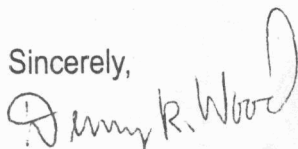
The latest little trick is that when I send two payment stubs for two business lines and a check for both bills clearly marked on the memo legend for both business numbers Bell South ignores the two stubs that they provide and Assign the check to on of the two accounts.

BINGO! This results in a \$9.00 fee on one of the lines. Why two lines? This was the only way I could get the FREE listing for each line in the yellow pages. This is a real tricky company. Do the bills come in that the same week? Not on your life.

You need to clean up this company. Some one in another state opens the mail, takes out the check and Bell South payment stubs, discards one, applies the check to only one account and collects a late fee for their illicit practice. What a neat little out of state scam.

Where are you Commissioners? Why are you letting a utility do this stuff? As a little business and a locked in consumer, I don't feel very secure that you are watching the public's business.

Sincerely,



Denny R. Wood, MSW

President of this little company that barely stays afloat while Ma Bell gets rich on late fees that are not even late.

We also carry a complete line of IMPRINTED Advertising Specialties:

PENS - CALENDARS - KEY TAGS - BEVERAGE COOLERS - CUPS & MUGS - PENCILS - MAGNETS - LIGHTERS - KNIVES
FLASH LIGHTS - TAPE MEASURES - TRAVEL COMPANIONS - GOLF ITEMS - CLOCKS - PAPER CLIP HOLDERS - ICE CHESTS
STRESS RELIEVERS - SUN GLASSES - STOP WATCHES - BOTTLE & CAN OPENERS - CALCULATORS - LUGGAGE TAGS - ETC

**ONE STOP SERVICE
BY DENNY WOOD, INC.**

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18818 S. DIXIE HWY., CUTLER SQUARE
MIAMI, FL 33157

7213

63-4/630 FL
1443

DATE 6/2000

PAY TO THE
ORDER OF

Bell South

\$ 168.74

One hundred and sixty nine and $\frac{74}{100}$

DOLLARS

Security features
are included.
Details on back.

Bank of America



ACH R/T 063000047

FOR

253-2563 and 256-9185

Denny R. Wood

MP

RAR Official Filing:

12/19/00*** 4:52 PM*****Linda Williams*****1**

Linda Williams

From: Dorothy Menasco
Sent: Tuesday, December 19, 2000 4:21 PM
To: RAR - Orders-Notices
Cc: Della Fordham; Janet Harrison

Sensitivity: Private

The following orders have been transferred to GCORDERS for issuance. All have been created in WP9.

Docket No. 000733-TL
File name: 000733i.mld

Docket No. 001522-TP
File name: 001522or.jae

Docket No. 001396-TP
File name: 001396or.jae

Atty: Diana Caldwell/Lilja Dandelake &
Jessica Elliott

2:35

1f

1m

RAR Official Filing:

1/23/01***2:09 PM*****Matilda Sanders*****1**

Matilda Sanders

0228 PCD

From: Dorothy Menasco
Sent: Tuesday, January 23, 2001 12:43 PM
To: RAR - Orders-Notices
Cc: Della Fordham; Pat Dunbar

Sensitivity: Private

The following orders have been transferred to GCOrders for issuance. Both were created in WP9.

Docket No. 000733-TL
File name: 000733P2.DWC

Docket No. 001503-TP
File name: 001503OP.DWC

Attorney for both: Diana Caldwell

RECEIVED-FPSC
01 JAN 23 PM 4:31
RECORDS AND
REPORTING

410 S

RAR Official Filing:

3/15/01***4:01 PM*****Matilda Sanders*****1**

Matilda Sanders

From: Andrea Cowart
Sent: Thursday, March 15, 2001 4:00 PM
To: RAR - Orders-Notices
Cc: Della Fordham
Subject: Order

0663-PCO

4 m

RECORDS AND
REPORTING

01 MAR 6 PM 1:46

RECEIVED-FPSC

The following order has been copied to GCORDERS and is ready for issuance on tomorrow.

000733 - 000733mp.bk

**** This order has been signed by a Comm., and will be hand-delivered to you on tomorrow morning.**

S

1 f
1 m

RAR Official Filing:

3/21/01***10:29 AM*****Matilda Sanders*****1**

Matilda Sanders

PCD - 0714

From: Andrea Cowart
Sent: Wednesday, March 21, 2001 10:21 AM
To: RAR - Orders-Notices
Cc: Della Fordham
Subject: Order

4 pgs

RECEIVED-FPSC
01 MAR 21 AM 10:30
RECORDS AND
REPORTING

The following order has been copied to GCORDERS and is ready to be issued.

000733 - 000733me.bk

This order has been signed by a Comm., and will be hand-delivered to you.

S

lf
lm

Vang

Kay Flynn
Thursday, April 05, 2001 2:24 PM
Jonathan Audu
Marguerite Lockard; Hong Wang
RE: confidential document

Subject:

Thanks, Jonathan. We'll show it as being part of 000733.

Hong, if you still have last year's undocketed here, please pull 06366-00 from it and move it to Docket 000733.

Marguerite, I'll make a note on each document description (letter and conf.) in CMS and copy them to 000733. Please make any changes necessary in your other records.

-----Original Message-----

From: Jonathan Audu
Sent: Thursday, April 05, 2001 12:24 PM
To: Kay Flynn
Subject: RE: confidential document

This will be Dkt # 000733.

Tnx!

-----Original Message-----

From: Kay Flynn
Sent: Thursday, April 05, 2001 12:15 PM
To: Jonathan Audu
Subject: RE: confidential document

Thanks.

Please give me the docket number so we can properly "pigeonhole" this document.

-----Original Message-----

From: Jonathan Audu
Sent: Thursday, April 05, 2001 12:12 PM
To: Kay Flynn
Subject: RE: confidential document

A docket was opened in relation to this tariff filing. This docket is on a hearing track and I am awaiting briefs (5/30). Yes I still have need for this document - as the docket is still pending.

Thank you.

-----Original Message-----

From: Kay Flynn
Sent: Thursday, April 05, 2001 11:47 AM
To: Jonathan Audu
Cc: Marguerite Lockard
Subject: confidential document

Jonathan, confidential DN 06367-00 ("BellSouth's response to staff's informal request concerning price out for tariff filed 7/9/99") has been signed out by you since 6/27/00. Do you still need the document? If not, please return it to Marguerite.

Thanks.

Kay

STATE OF FLORIDA

Commissioners:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

ACKNOWLEDGMENT

DATE: 5/30/01

TO: N. White

FROM: L. Williams, Division of Records and Reporting

RE: Acknowledgment of Receipt of Confidential Filing

06766-01

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.

000733-TL or (if filed in an undocketed matter) concerning Certain
info FRM - LPC/DCA Dated 6/9/99, and
filed on behalf of BellSouth. The

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6744.

PSC/RAR 19 (1/01)

STATE OF FLORIDA

Commissioners:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

ACKNOWLEDGMENT

DATE: 6/15/01

TO: N. White

FROM: B. Williams, Division of Records and Reporting

RE: Acknowledgment of Receipt of Confidential Filing

07497-01

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket No.

000733-TP or (if filed in an undocketed matter) concerning Pages 2-6

of Attachment 22, and

filed on behalf of B. Williams. The

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6744.

PSC/RAR 19 (1/01)

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

STATE OF FLORIDA

Commissioners:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

ACKNOWLEDGMENT

DATE: 6/19/01

TO: N. White

FROM: B. Williams, Division of Records and Reporting

RE: Acknowledgment of Receipt of Confidential Filing

07636-01

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.

000733-TL or (if filed in an undocketed matter) concerning Tammy

Late Payment Charges, and

filed on behalf of BellSouth. The

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6744.

PSC/RAR 19 (1/01)

BellSouth Telecommunications, Inc.
Regulatory Relations
150 South Monroe Street
Suite 400
Tallahassee, FL 32301

Nancy H. Sims
Director

850 222 1201
Fax 850 222 8640

nancy.sims@bellsouth.com

Ms. Noreen Davis
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Subject: Party of Record/Certificate of Service

Dear Ms. Davis,

This letter is to provide BellSouth's Party of Record/Certificate of Service information to the personnel in your division. With the changes in personnel handling legal document filings and notices for the Florida Public Service Commission, and with the numerous locations of BellSouth, there is sometimes confusion as to which BellSouth address should be used when serving documents or sending notices. BellSouth's local Tallahassee office is the "official service" location for docketed and undocketed matters. This address is:

Nancy B. White, Esquire
BellSouth Telecommunications, Inc.
c/o Ms. Nancy H. Sims
150 So. Monroe Street
Suite 400
Tallahassee, Florida 32301-1556

The attorney name may be different depending upon the case involved, but the Tallahassee address should always be used. If this address is not used, then it is difficult to determine the proper response timeframe.

I would appreciate your help in providing this information to your staff as we have recently had filings and notices sent directly to Miami and to Atlanta. If you have any questions, please let me know.

Thank you.

Yours truly,


Nancy H. Sims

Copy to: Nancy White
Blanca Bayo
Walter D'Haeseleer

960786, 981834, 990455, 990457,
990456, 000028, 000475, 000436
000649, 000690, 000731, 000733,
000761, 000828, 001087
001305, 001797, 001810
010027, 010097, 010098, 010302,
010309, 01034

July 25, 2001

COMMISSION
CLERK

JUL 25 PM 4:39

RECEIVED-PPSC

010565, 0107
010782, 010
010983, 010
010973, 010
010962

CCA Official Filing:

8/30/01*** 1:46 PM*****Linda Williams*****1**

Linda Williams

1769-FDF

From: Lysa White
Sent: Thursday, August 30, 2001 1:46 PM
To: CCA - Orders / Notices; June Ariola
Subject: Order / Notice Submitted

Date and Time: 8/30/01 1:43:00 PM
Docket Number: 000733-TL Bellsouth-invest. of tariff filing
Filename / Path: i:\000733or.pac
Order Type: Signed / Hand Deliver

COMMISSION
CLERK

01 AUG 30 PM 1:46

RECEIVED-FPSC

The above Order has been efiled. Since a commissioner signed the order, a hard copy will follow. Also, please note that pages 17 - 27 are attachments that are not online.

18

mailed RAR

CCA Official Filing:

8/24/01*****1:39 PM*****Matilda Sanders*****1

Matilda Sanders

1731-CFU

From: Andrea Cowart
Sent: Friday, August 24, 2001 1:36 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

Date and Time: 8/24/01 1:32:00 PM
Docket Number: 000733-TL
Filename / Path: 000733conf.bk
Order Type: Signed / Hand Deliver

RECEIVED-PPSC
01 AUG 24 PM 1:39
COMMISSION
CLERK

ORDER GRANTING REQUESTS FOR CONFIDENTIAL TREATMENT
OF DOCUMENTS NOS. 06367-00, 07636-01, AND CROSS- REFERENCED DOCUMENTS NOS.
06766-01 AND 07497-01

1/10

STATE OF FLORIDA

Commissioners:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI



DIVISION OF THE COMMISSION CLERK
AND ADMINISTRATIVE SERVICES
BLANCA S. BAYO
DIRECTOR
(850) 413-6770

Public Service Commission

October 1, 2001

Thomas D. Hall, Clerk
Supreme Court of Florida
Supreme Court Building
Tallahassee, Florida 32301

**Re: BellSouth Telecommunications, Inc. vs. Lila A. Jaber, et al.
(Docket No. 000733-TL)**

Dear Mr. Hall:

Enclosed is a certified copy of a Notice of Administrative Appeal of a Final Order, filed in this office on September 28, 2001, on behalf of BellSouth Telecommunications, Inc. Also enclosed, as an exhibit to the notice is a copy of Order No. PSC-01-1769-FOF-TL.

It is our understanding that the index is due to be served on the parties to this proceeding on or before November 19, 2001.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kay Flynn".

Kay Flynn, Chief
Bureau of Records and Hearing Services

Enclosure

cc: David Smith, Esquire
Raoul G. Cantero, III, Esquire
Charles Beck, Esquire

STATE OF FLORIDA

COMMISSIONERS:
E. LEON JACOBS, JR., CHAIRMAN
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

November 19, 2001

Raoul G. Cantero, III, Esquire
Adorno & Zeder, P.A.
2601 South Bayshore Drive, Suite 1600
Miami, Florida 33133

Re: Supreme Court Case No. SC01-2205 - BellSouth Telecommunications, Inc.
vs. E. Leon Jacobs, Jr., et al. (Docket No. 000733-TL)

Dear Mr. Cantero:

Enclosed is an index to the above-referenced docket on appeal. Please look the index over and let me know if you have any questions concerning the contents of the record.

Counsel for BellSouth Telecommunications, Inc. should note that the last page of the index contains a list of the **confidential documents** that will be filed with the Supreme Court. **Counsel for BellSouth must file a request with the Court in order for confidentiality of the documents to be maintained while in the Court's possession.** The record will be filed in the Court on or before January 17, 2002.

Please do not hesitate to call if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Kay Flynn".

Kay Flynn, Chief
Bureau of Records and Hearing Services

mhl

cc: Richard Bellak, Esquire
Stephen H. Grimes, Esquire
Charles J. Beck, Esquire

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BellSouth Telecommunications, Inc.

vs.

E. Leon Jacobs, Jr., et al.

PSC Docket No. 000733-TL

Supreme Court Case No. SC01-2205

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filed June 19, 2001, on behalf of BellSouth Telecommunications, Inc.

FLORIDA PUBLIC SERVICE COMMISSION

2540 Shumard Oak Blvd. ♦ Tallahassee, Florida 32399-0850

Date: 11/19/01

8289

To: Raoul G. Cantero, III, Esquire
Adorno & Zeder, P.A.
2601 South Bayshore Drive, Suite 1600
Miami, Florida 33133

Date Paid _____

Amount Paid _____

Check # _____

☐ Check ☐ Cash

PSC Signature _____

↑ ↑
This number must appear on
all checks or correspondence
regarding this invoice.

Please make checks payable to: **FLORIDA PUBLIC SERVICE COMMISSION**

QUANTITY	DESCRIPTION	PRICE	AMOUNT
849 pgs.	Copying and preparation of Docket 000733-TL on appeal to Supreme Court, Case No. SC01-2205	@.05¢ per page	\$42.45
1	Certificate of Director	@\$4.00	4.00
TOTAL			\$46.45

STATE OF FLORIDA

Commissioners:
J. TERRY DEASON, CHAIRMAN
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ



DIVISION OF THE COMMISSION CLERK
AND ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

November 19, 2001

Raoul G. Cantero, III, Esquire
Adorno & Zeder, P.A.
2601 South Bayshore Drive, Suite 1600
Miami, Florida 33133

Re: Supreme Court Case No. SC01-2205 - BellSouth Telecommunications, Inc.
vs. E. Leon Jacobs, Jr., et al. (Docket No. 000733-TL)

Dear Mr. Cantero:

I have enclosed an invoice reflecting charges for preparation of the above-referenced record. Please forward a check in the amount indicated, made payable to the Florida Public Service Commission, at your earliest convenience.

Do not hesitate to call if you have any questions concerning this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kay Flynn".

Kay Flynn, Chief
Bureau of Records and Hearing Services

mhl
Enclosure

CCA Official Filing:

12/5/01***3:01 PM*****Matilda Sanders*****1**

Matilda Sanders

2348-PCO

From: Lysa White
Sent: Wednesday, December 05, 2001 2:55 PM
To: CCA - Orders / Notices; LaSandra Givens
Subject: Order / Notice Submitted

8

Date and Time: 12/5/01 2:55:00 PM
Docket Number: 000733-tl
Filename / Path: i:\000733or2.pac

Hello :) The above Order has been efiled.

S
if
im

CCA Official Filing:

3/13/03***4:24 PM*****Matilda Sanders*****1**

Matilda Sanders

0356-PC0

From: Jackie Schindler
Sent: Thursday, March 13, 2003 4:24 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

4

COMMISSION
CLERK

MAR 14 AM 10:41

RECEIVED-PPSC

Date and Time: 3/13/03 4:23:00 PM
Docket Number: 000733-TL
Filename / Path: 000733extconf.wpd
Order Type: Signed / Hand Deliver

An Order Granting Motion for Extension of Duration of Order No. PSC-01-1731-CFO-TL has been signed and moved to GC Orders for issuance tomorrow. Thanks.

js

YI

STATE OF FLORIDA

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYO
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

January 17, 2002

Thomas D. Hall, Clerk
Supreme Court of Florida
Supreme Court Building
Tallahassee, Florida 32301

**Re: Supreme Court Case No. SC01-2205 - BellSouth Telecommunications, Inc.
vs. E. Leon Jacobs, et al. (Docket No. 000733-TL)**

Dear Mr. Hall:

The record in the above-referenced case, consisting of three binders and one sealed envelope marked "confidential," is forwarded for filing in the Court. A copy of the index is enclosed for your use. Parties should replace page three of the index with the enclosed page three. Please initial and date the copy of this letter to indicate receipt.

Do not hesitate to call me at 413-6744 if you have any questions about the contents of this record.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kay Flynn".

Kay Flynn, Chief
Bureau of Records and Hearing Services

Enclosure

cc: Raoul G. Cantero, Esquire
Richard Bellak, Esquire
Stephen H. Grimes, Esquire
Charles J. Beck, Esquire

FILED
THOMAS D. HALL
JAN 17 2002

RECEIVED BY _____ DATE _____
CLERK, SUPREME COURT
BY A handwritten signature in cursive script, appearing to read "Thomas D. Hall".

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY

STATE OF FLORIDA



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
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(850) 413-6330 (ADMIN)

Public Service Commission

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cc: Raoul G. Cantero, Esquire
Richard Bellak, Esquire
Stephen H. Grimes, Esquire
Charles J. Beck, Esquire

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BellSouth Telecommunications, Inc.

vs.

E. Leon Jacobs, Jr., et al.

PSC Docket No. 000733-TL

Supreme Court Case No. SC01-2205

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filed June 19, 2001, on behalf of BellSouth Telecommunications, Inc.

CCA Official Filing:

4/18/03***11:05 AM*****Kay Flynn*****1**

Kay Flynn

From: Denise Karnes
Sent: Friday, April 18, 2003 11:04 AM
To: Alina Dieguez; Beth Salak; Betty Ashby; Bev DeMello; Blanca Bayo; Bob Trapp; Braulio Baez; Breda Platt; Carol Purvis; Cayce Hinton; Charles Davidson; Chuck Hill; Cindy Miller; Dan Hoppe; Della Fordham; Diane Lee; Dorothy Boone; Harold McLean; Hurd Reeves; J. Terry Deason; Janet Brunson; Janet Harrison; JoAnn Chase; Jorge Chamizo; Kathleen Stewart; Katrina Tew; Kay Flynn; Kay Posey; Kevin Bloom; Kevin Neal; Lila Jaber; Linda Duggar; Martha Golden; Mary Bane; Mary Macko; Norma Jenkins; Pat Dunbar; Patsy White; Richard Tudor; Roberta Bass; Rudy Bradley; Sharon Allbritton; Tarik Noriega; Thelma Crump; Tim Devlin; Veronica Washington; Walter D'Haeseleer
Subject: BellSouth Refunding \$89.2 Million in Late Charges



041803rls.wpd

The attached news release was sent to the daily newspapers this morning, 4/18/03.



State of Florida
Public Service Commission
NEWS RELEASE

April 18, 2003

Contact: ♦ 850-413-6482

BELLSOUTH REFUNDING \$89.2 MILLION IN LATE CHARGES

TALLAHASSEE — BellSouth is issuing credits and checks for nearly \$90 million this month to customers and former customers who were assessed late payment charges later found to be improper by the Florida Public Service Commission (PSC).

The refunds, totaling \$89.2 million, stem from BellSouth's decision in 1999 to restructure the method by which it assessed late payment charges.

The PSC issued an order prohibiting the restructured charges and mandating refunds, a decision BellSouth appealed to the Florida Supreme Court. The Court denied BellSouth's appeal in late 2002.

Commission Chairman Lila Jaber said, "We are gratified the state's highest court validated our decision to order these charges refunded to consumers."

The amount refunded varies depending on individual accounts. Current BellSouth customers who paid the late payment charges will be issued credits on their April bills. Former BellSouth customers who paid the charges will be issued checks.

###

Kay Flynn

000733-7L

From: Denise Karnes

Sent: Friday, October 29, 2004 10:31 AM

To: Alina Dieguez; Allen Mortham; Beth Salak; Betty Ashby; Bev DeMello; Blanca Bayo; Bob Trapp; Braulio Baez; Bridget Hoyle; Carol Purvis; Cayce Hinton; Charles Davidson; Chuck Hill; Cindy Miller; Dan Hoppe; Della Fordham; Diane Lee; Dorothy Boone; Eileen Patrick; Hurd Reeves; J. Terry Deason; Jane Faurot; Janet Brunson; Janet Harrison; JoAnn Chase; Kathleen Stewart; Katrina Tew; Kay Flynn; Kay Posey; Kevin Bloom; Larry Harris; Lila Jaber; Manuel Arisso; Martha Golden; Mary Bane; Mary Macko; Norma Jenkins; Pat Dunbar; Patsy White; Richard Tudor; Rick Melson; Roberta Bass; Rudy Bradley; Sandy Moses; Sharon Allbritton; Steven Stolting; Susan Howard; Tarik Noriega; Tim Devlin; Veronica Washington

Subject: Items of Interest at Upcoming Agenda Conference, 11/2/04

A news release has been sent to the daily newspapers this morning, 10/29/04, and is now available on our web site:
<http://www.psc.state.fl.us/general/news/pressrelease.cfm?release=-2147483334>

10/29/2004



State of Florida
Public Service Commission
NEWS RELEASE

October 29, 2004

Contact: 850-413-6482

Items of Interest at Upcoming Agenda Conference, 11/2/04

TALLAHASSEE — The following items are among those scheduled for consideration by the Commission at the November 2, 2004, Agenda Conference.

ITEM 3 – DOCKET NO. 020896-WS – PETITION BY CUSTOMERS OF ALOHA UTILITIES, INC. FOR DELETION OF PORTION OF TERRITORY IN SEVEN SPRINGS AREA IN PASCO COUNTY.

DOCKET NO. 010503-WU – APPLICATION FOR INCREASE IN WATER RATES FOR SEVEN SPRINGS SYSTEM IN PASCO COUNTY BY ALOHA UTILITIES, INC. The Commission will address two motions for reconsideration filed by Aloha Utilities, Inc. regarding the consolidation of these two dockets and the production of certain documents requested through discovery.

ITEM 5 - DOCKET NO. 000733-TL – INVESTIGATION TO DETERMINE WHETHER BELL SOUTH TELECOMMUNICATIONS, INC.'S TARIFF FILING TO RESTRUCTURE ITS LATE PAYMENT CHARGE IS IN VIOLATION OF SECTION 364.051, FLORIDA STATUTES.

DOCKET NO. 001503-TP – COST RECOVERY AND ALLOCATION ISSUES FOR NUMBER POOLING TRIALS IN FLORIDA. The Commission will consider its staff's recommendations regarding the disposition of approximately \$2.8 million in unclaimed refunds and \$1.76 million in outstanding drafts. In addition, the Commission will address whether BellSouth Telecommunications, Inc. should be ordered to file reports detailing its Lifeline and Link-Up promotional efforts.

ITEM 13 - DOCKET NO. 980119-TP – COMPLAINT OF SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC. AGAINST BELL SOUTH TELECOMMUNICATIONS, INC. FOR VIOLATION OF THE TELECOMMUNICATIONS ACT OF 1996; PETITION FOR RESOLUTION OF DISPUTES AS TO IMPLEMENTATION AND INTERPRETATION OF INTERCONNECTION, RESALE AND COLLOCATION AGREEMENTS; AND PETITION FOR EMERGENCY RELIEF. The Commission will examine issues associated with online edit checking capability and the third-party testing of BellSouth Telecommunications, Inc.'s Operational Support Systems (OSS).

###

Website - <http://www.floridapsc.com>

Kevin Bloom, Director, Office of Public Information

Additional Press Contact: Tarik Noriega

2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

Kay Flynn

000733

001503

From: Denise Karnes**Sent:** Tuesday, November 02, 2004 3:07 PM

To: Alina Dieguez; Allen Mortham; Beth Salak; Betty Ashby; Bev DeMello; Blanca Bayo; Bob Trapp; Braulio Baez; Bridget Hoyle; Carol Purvis; Cayce Hinton; Charles Davidson; Chuck Hill; Cindy Miller; Dan Hoppe; Della Fordham; Diane Lee; Dorothy Boone; Eileen Patrick; Hurd Reeves; J. Terry Deason; Jane Faurot; Janet Brunson; Janet Harrison; JoAnn Chase; Kathleen Stewart; Katrina Tew; Kay Flynn; Kay Posey; Kevin Bloom; Larry Harris; Lila Jaber; Manuel Arisso; Martha Golden; Mary Bane; Mary Macko; Norma Jenkins; Pat Dunbar; Patsy White; Richard Tudor; Rick Melson; Roberta Bass; Rudy Bradley; Sandy Moses; Sharon Allbritton; Steven Stolting; Susan Howard; Tarik Noriega; Tim Devlin; Veronica Washington

Subject: Commission Directs Additional \$1.6 Million to Lifeline and Link-Up Programs

A news release has been faxed to the daily newspapers this afternoon, and is now available on the PSC web site:

<http://www.psc.state.fl.us/general/news/pressrelease.cfm?release=-2147483333>

11/2/2004



State of Florida

Public Service Commission

NEWS RELEASE

000733

001503

November 2, 2004

Contact: 850-413-6482

Commission Directs Additional \$1.6 Million to Lifeline and Link-Up Programs

TALLAHASSEE — The state's Lifeline and Link-Up Florida programs will receive an infusion of nearly \$1.6 million to promote participation based on a unanimous vote of the Florida Public Service Commission Tuesday.

The money -- \$1,589,368 -- comes from unclaimed refunds the Commission ordered BellSouth to pay in 2001 for the imposition of inappropriate late payment charges.

"Any time we can channel money into the promotion of these two programs, we have taken a positive step in our efforts to connect every eligible Floridian to the telecommunications network," Commission Chairman Braulio Baez said. "To the extent we can encourage participation at no cost to the state's ratepayers, we have to be happy."

The Lifeline and Link-up Florida programs offer assistance to qualified residential telephone customers to ensure basic telephone service remains affordable. The Link-Up Florida program provides a reduction of up to 50 percent in the telephone hook-up charge to a maximum of \$30. The Lifeline Assistance program provides a credit of up to \$13.50 for local monthly phone service.

###

Website - <http://www.floridapsc.com>

Kevin Bloom, Director, Office of Public Information

Additional Press Contact: Tarik Noriega

2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: November 8, 2004

TO: Blanca S. Bayó, Director, Division of the Commission Clerk and Administrative Services

FROM: Jane Faurot, Chief, Office of Hearing Reporter Services, Division of the Commission Clerk and Administrative Services

RE: DOCKET NOS. 000733-TL & 001503-TP, AGENDA HELD 11/02/04.

RE: INVESTIGATION TO DETERMINE WHETHER BELLSOUTH TELECOMMUNICATIONS, INC.'S TARIFF FILING TO RESTRUCTURE ITS LATE PAYMENT CHARGE IS IN VIOLATION OF SECTION 364.051, F.S.

COST RECOVERY AND ALLOCATION ISSUES FOR NUMBER POOLING TRIALS IN FLORIDA.

DOCUMENT No: 11979-04, 11/08/04

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMP

Acknowledged BY:

A handwritten signature, possibly "JF", written in ink.

JF/rIm

CCA Official Filing

11/15/2004 9:26 AM*****

****Matilda Sanders***1**

Matilda Sanders

1124-50F

From: Jackie Schindler
Sent: Monday, November 15, 2004 9:19 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

Date and Time: 11/15/2004 9:17:00 AM
Docket Number: 000733-tl & 001503-tp
Filename / Path: 0001503\order.jls.doc

An ORDER DISPENSING UNCLAIMED REFUNDS TO OFFSET BELLSEOUTH TELECOMMUNICATIONS, INC.'S NUMBER POOLING COSTS AND DISPURRING THE REMAINDER INTO LIFE-LINE AND LINK-UP has been moved to GC Order for issuance today.

Thanks

js

465 mailed -