

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing to	)	DOCKET NO. 910777-TI
increase directory assistance rates by	)	ORDER NO. 24970
AT&T COMMUNICATIONS OF THE SOUTHERN	)	ISSUED: 8/26/91
STATES, INC.	)	
	)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 J. TERRY DEASON  
 BETTY EASLEY  
 MICHAEL McK. WILSON

ORDER APPROVING TARIFF

BY THE COMMISSION:

On June 24, 1991, AT&T of the Southern States, Inc. (ATT-C or the Company) filed revisions to its General Services Tariff and its Custom Network Service Tariff, proposing to increase its intrastate, interLATA directory assistance rate from \$.35 to \$.40.

By Order No. 19758, issued August 3, 1988, we granted ATT-C's "Petition to Forbear from Earnings Regulation of ATT-C for a Trial Period," which basically exempted the Company from traditional rate base and rate of return regulation for a two year trial period beginning on July 11, 1988, and ending on July 10, 1990. During the first two-year period of forbearance the Company filed proposed increases to its directory assistance rate twice. On February 21, 1989, ATT-C proposed an increase from \$.25 to \$.50; however, it withdrew the proposal. On August 30, 1989, ATT-C filed a proposal to increase the rate from \$.25 to \$.35 per call. By Order No. 22248, issued November 30, 1989, we granted the increase. The status of ATT-C's forbearance is currently under investigation in Docket No. 870347-TI, but the Company continues to operate under the established forbearance guidelines during the interim.

In this filing, as in the previous filing, the Company asserts that because of its low rates for directory assistance, customers are using the service, then placing their long distance calls with other carriers. However, the Company has not provided us with any data confirming that claim. Additionally, our cost analysis indicates that the present directory assistance rates cover costs and provide contribution.

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ORDER NO. 24970  
DOCKET NO. 910777-TI  
PAGE 2

Under normal rate of return regulation, we would be less inclined to approve this increase. However, under the present form of forbearance, we believe that ATT-C should be allowed to adjust its directory assistance rates within reasonable limits. Therefore, we hereby approve the tariff as filed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed tariff filing by AT&T of the Southern States, Inc. to increase directory assistance rates from \$.35 to \$.40 is hereby approved, with an effective date of August 6, 1991. It is further

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

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

By ORDER of the Florida Public Service Commission, this 26th  
day of AUGUST, 1991.

  
\_\_\_\_\_  
STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

PAK

Commissioner Deason dissents from the Commission's decision to approve the rate increase without cost justification.

ORDER NO. 24970  
DOCKET NO. 910777-TI  
PAGE 3

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

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

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on 9-16-91.

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

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

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