

FLORIDA PUBLIC SERVICE COMMISSION

In re: Motion for temporary) DOCKET NO. 920152-TL
waiver of Rule 25-4.110 (1)) ORDER NO. PSC-92-0342-FOF-TL
F.A.C., regarding annual) ISSUED: 05/13/92
customer bill itemization,)
by GTE FLORIDA INCORPORATED)
_____)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING TEMPORARY
WAIVER OF RULE 25-4.110(1) F.A.C.

BY THE COMMISSION:

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

On February 18, 1992, GTE Florida Incorporated (GTE or the Company) filed a Motion for a temporary waiver the annual customer bill itemization requirement set forth in Rule 25-4.110(1) Florida Administrative Code. GTE specifically requested that we temporarily waive the requirement that Local Exchange Companies (LECs) include with their annual itemization of service charges a bill stuffer giving customers notice of the enclosure of the charge itemization. The request for waiver of the Rule resulted from the modification of the Customer Billing Service System (CBSS) used to send billing notices.

Until recently, GTE has complied with the annual notice and itemization requirement while avoiding the administrative and manpower strain of mailing all of the notices and itemization at one time by using CBSS to spread the transmittals to customers out over the ten month period between February and November of each year. Customers received notices and itemization in one of these months by matching the second to the last digit in the customer's telephone number to the corresponding month. For example, a subscriber whose second to last telephone number digit is one received the annual notice and itemization in February.

GTE plans to change the methodology used to provide CBSS. Notice and itemization under the new methodology will continue to

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occur between February and November but would be provided based upon the third digit of the customer's account number. GTE asserts that during the conversion period, all customers will receive the annual notices and itemizations in February, March and April 1992. Approximately a third of the customers will receive the notice and itemization in each of these months. Itemization using the new methodology will commence in May 1992.

There is no correlation between the distribution of bill notices and itemization for February, March and April 1991 using the old system (second-to-last digit of a customer's phone number) and how customers will receive notices in February, March and April of 1992. During the conversion period most customers will receive two notices within the 12 month period of May 1991 to April 1992. However, some customers who last received notices and itemization in February and March of 1992 will wait more than 12 months to receive their next notice and itemization.

Approximately 11% of GTE subscribers will experience a delay in receiving their annual bill itemization accompanied by a bill insert. However, of this 11% of GTEL's subscribers, only about 7% of GTE customers will not receive a notice and itemization for at least 13 months and no GTE customer will have to wait more than 14 months to receive notice and itemization. The Company estimates that approximately 89% of its customers will receive a bill itemization between February, 1992 and February, 1993, an additional 4% would receive a bill itemization in March, 1993 and the remaining 7% of the subscribers would receive their bill itemization in April of 1993.

The effect of granting GTE's motion for temporary waiver of Rule 25-4.110(1) would not substantially affect most customers. Approximately 11% of the Company's subscribers would experience a delay of two months or less in receiving their bill itemization. The requested waiver would be temporary and is the result of software updates. Accordingly, we find GTE's request for temporary waiver of Rule 25-4.110(1), to be reasonable, necessary to improving the Company's billing software and, therefore, in the public interest. Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that GTE Florida Incorporated's Motion for Temporary Waiver of Rule 25-4.110(1), Florida Administrative Code is hereby approved. It is further

ORDERED that any protest of this Order be filed pursuant to the requirements set forth below. It is further

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ORDERED that if no protest of this order is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 13th day of May, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

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

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on June 3, 1992.

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

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

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