

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of) DOCKET NO. 921087-TL
tariff filing to revise the) ORDER NO. PSC-92-1481-FOF-TL
regulations for the application) ISSUED: 12/23/92
of rates for business and)
residence service by BELLSOUTH)
TELECOMMUNICATIONS, INC. d/b/a)
SOUTHERN BELL TELEPHONE AND)
TELEGRAPH COMPANY.)
_____)

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

ORDER APPROVING TARIFF FILING

BY THE COMMISSION:

BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or Company) has filed a tariff to revise the regulations governing the application of rates for business and residence service. The Company states that this filing is in response to the growing trend where subscribers work at home. The current tariff restricts residence service rates to service used primarily for domestic, not business or occupational purposes. The Company states these restrictions are difficult to enforce since the Company usually cannot verify how subscribers use telephone service provided to their homes.

The proposed tariff makes a clear distinction between when business and residence rates apply for the Company's subscribers. For service provided to residential locations, the proposed tariff changes the classification criteria from "primary use" to whether a business listing is used for the service. The proposed tariff allows residence service rates at residential locations, regardless of the primary use, as long as the subscriber does not request a business listing in Southern Bell's business telephone directory, the Company's business section of the White Pages Directory, or in a combined Company residence/business White Pages Directory. The classification of typical business locations remains the same with the exception of minor text changes which serve to clarify existing tariff language.

Upon review, we find that this tariff filing will simplify the tariff regulations for the application of business service rates

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versus residence service rates at residential locations. Thus, the tariff will be easier for the Company's subscribers to understand and easier for the business office to administer. The proposed changes will benefit customers as well as the Company. For these reasons, we approve the proposed tariff.

Therefore, based upon the foregoing it is

ORDERED by the Florida Public Service Commission that the proposed tariff to revise the regulations for the application of rates for business and residence service by Southern Bell Telephone and Telegraph Company is hereby approved. It is further

ORDERED that if a timely protest is filed this tariff shall remain in effect with any increase in revenue held subject to refund pending resolution of the protest. If no timely protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 23rd day of December, 1992.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

by: Kay Flynn

Chief, Bureau of Records

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 January 13, 1993.

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

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

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