

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed amendments to) DOCKET NO. 940072-TL
Rule 25-4.040, F.A.C., Telephone) ORDER NO. PSC-94-1189-NOR-TL
Directories; Directory) ISSUED: September 29, 1994
Assistance, Pertaining to Poison)
Information Centers.)
_____)

NOTICE OF RULEMAKING

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-4.040, F.A.C., relating to telephone directories; directory assistance, pertaining to poison information centers.

The attached Notice of Rulemaking will appear in the October 7, 1994, edition of the Florida Administrative Weekly. If requested, a hearing will be held at the following time and place:

9:30 a.m., Monday, November 14, 1994
Room 122, Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, FL 32399, no later than October 28, 1994.

By Direction of the Florida Public Service Commission, this 29th day of September, 1994.

BLANCA BAYÓ, Director
Division of Records & Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)
JRW

DOCUMENT NUMBER-DATE

09971 SEP 29 1994

FPSC-RECORDS/REPORTING

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 940072-TL

RULE TITLE: RULE NO.:

Telephone Directories; 25-4.040

Directory Assistance

PURPOSE AND EFFECT: The purpose of the amendments to Rule 25-4.040, F.A.C., is to facilitate the use of the Poison Information Centers currently located in Jacksonville, Tampa and Miami. Under the rule amendments, the local exchange telecommunications companies (LECs) are required to use a uniform format in displaying emergency numbers, including 911 and the poison information center number on the inside front cover of the LEC's directories. The rule amendments require that the appropriate poison information center number is listed in the white pages of the directories and that directory assistance operators have the appropriate poison information center number. The Poison Information Centers provide information on poisonous substances and directs proper medical assistance if necessary.

SUMMARY: Currently, Rule 25-4.040, F.A.C., "Telephone Directories; Directory Assistance," provides guidelines on the frequency of publication, content and geographical area covered by the directories of LECs. The purpose of the proposed amendments to Rule 25-4.040, F.A.C., is to facilitate the use of the Poison Information Centers presently located in Jacksonville, Tampa and

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Miami. Under the rule amendments, LECs are required to use a uniform format in displaying emergency numbers, including 911 and the poison information center number on the inside front cover of the LEC's directories. The rule amendments require that the appropriate Poison Information Center number is listed in the white pages of the directories and that directory assistance operators have the appropriate Poison Information Center number. The Poison Information Center provides information on poisonous substances and directs proper medical assistance if necessary.

RULEMAKING AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 364.03, F.S.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

HEARING: IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., Monday, November 14, 1994.

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-4.040 Telephone Directories; Directory Assistance.

(1) Each local exchange telecommunications company shall normally publish updated telephone directories once every 12 months and shall publish updated directories at least once every 15 months. The directories shall normally alphabetically list the name, address, and telephone number of all subscribers located in the exchange(s) contained in the directory except the telephone numbers for public telephones or a name, address, number/address unlisted or unpublished at the subscriber's request. [[Also listed alphabetically shall be a listing designated "Poison Information Center" and the local telephone number, where the exchange served by the directory has local calling to a Poison Information Center. If no local telephone number exists, then the toll-free telephone number of a Poison Information Center shall be listed.]] A description of the local (toll free) calling scope shall be prominently displayed at the beginning of each alphabetical section in a directory. At no additional charge and upon the request of any residential subscriber, the exchange company shall list an additional first name or initial under the same address, telephone number and surname of the subscriber. The exchange company shall place the first names or initials in the order requested by the subscriber.

(2) Each subscriber served by a directory shall be furnished one copy of that directory for each access line. Subject to availability, additional directories shall be provided by the local

exchange telecommunications company, which may charge a reasonable fee therefor. Within 30 days after the effective date of this rule each exchange company shall file with the Commission a tariff setting forth the fee, if any, and the conditions under which it will apply. Copies of each directory shall be furnished to the Bureau of Service Evaluation. When expanded calling scopes are involved, as with Extended Area Service, each subscriber shall be provided with directory listings for all published telephone numbers within the local service area.

(3) (a) The name of the local exchange telecommunications company, the individual exchanges included in the directory and the month/year of issuance shall appear on the front cover of each directory.

(b) [[Beginning with directories issued on or after January 1, 1995, t]] [T]he following information shall be listed on the inside of the front cover of the directory:

[[1. "911" instructions for exchanges with "911" service. Such "911" instructions shall be at the top of the inside front cover and shall be outlined in order to be separate from other information on the inside front cover. "911" shall be the only listed emergency number; all other numbers on the inside front cover shall be listed as "nonemergency" or "other important numbers."]]

[[2.]] [1.] [[For exchanges where "911" emergency service is not provided, e]] [E]mergency calling instructions and numbers including those of the police, [[sheriff,]] fire departments and ambulance services used by local government in case of emergency[;][[.]] [[Such emergency calling instructions shall be listed at the top of the inside front cover and shall be outlined and separate from other information. All other numbers on the inside front cover shall be listed as "nonemergency" or "other important numbers."]]

[2. "911" instructions for exchanges with "911" emergency service.]

[[3. The information required by Section 395.1027(3)(b)3, F.S.]]

(c) The following notice shall be conspicuously listed on the inside front cover or first page of the directory:

FLORIDA PUBLIC SERVICE COMMISSION INQUIRIES
CUSTOMERS OF UTILITIES AND COMPANIES REGULATED BY THE COMMISSION WHO HAVE FIRST CONTACTED SUCH A FIRM CONCERNING A PROBLEM, AND ARE NOT SATISFIED BY THE CORRECTIVE ACTION TAKEN MAY CONTACT:

THE FLORIDA PUBLIC SERVICE COMMISSION

Division of Consumer Affairs

101 East Gaines Street

Tallahassee, Florida 32399-8153

Phone Toll Free (TDD & Voice) 1-800-342-3552

(4) The following information shall appear in the front pages of the directory, preceding subscriber listings, along with an index where there are four (4) or more pages of such information:

(a) Directions for the use of local exchange and long distance telephone services and calls to repair and directory assistance services.

(b) Application and amount of directory assistance charges contained in company tariffs.

(c) Application and amount of charges for line busy verification, emergency interrupt and maintenance/repair services.

(d) The location of telephone company public business offices located in the area(s) contained in the directory.

(e) Identification of customer payment locations and an explanation of discontinuance of service procedures for local service.

(f) Policy on customer owned equipment and inside wiring.

(g) Policy on the recording of telephone conversations.

(h) Policy on harassing calls and sales solicitations generated by illegal automatic dialing equipment.

(i) Policy on various violations of law arising from the illegal use of telephone equipment and service.

(j) A conspicuous notice of the availability of the "No Sales Solicitation" list offered through the Florida Department of

Agriculture and Consumer Services, Division of Consumer Services and the 800 number to contact for further information.

(5) Directory assistance operators shall maintain records of all telephone numbers (except for non-published telephone numbers) in the area for which they have the responsibility of furnishing service. [[Directory assistance records must also contain listings for "Poison Information Center" and, the local telephone number, where the area served by the directory assistance operator has local calling to a Poison Information Center. If no local telephone number exists, then the toll-free telephone number of a Poison Information Center shall be listed.]] All new or changed listings shall be provided to directory assistance operators within forty-eight (48) hours after connection of service, excluding Saturdays, Sundays and holidays.

(6) In the event of an error in the listed number of any subscriber, each local exchange telecommunications company shall intercept all calls to the listed number for the period of time required to comply with Rule 25-4.074, provided the listed number is not in service. In the event of an error or omission in the name listing of a customer, the customer's correct name and telephone number shall be listed in the directory assistance and intercept records and the correct number furnished the calling party upon request or interception.

(7) When a subscriber will establish a residence or business shortly after the close of subscriber listing records but preceding publication, the local exchange telecommunications company shall, upon request, establish and list service at the requested new address and immediately place the service on suspension. Service connection and other appropriate local service charges shall be due and payable, independent of whether service is later restored.

(8) When scheduled additions or changes in plant, records or operations will require a large group of number changes, the earliest possible notice shall be given to affected customers, regardless of the time of the change relative to the directory issuance cycle.

(9) The local exchange telecommunications company shall not change a subscriber's telephone number without good cause and at least [thirty () 30 ()] days prior notice to the affected subscriber.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.03, F.S.

History: New 12/1/68, Amended 3/31/76, 1/4/78, 12/10/84, formerly 25-4.40, Amended 11/28/89, 3/31/91, 02/11/92, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Tudor, Division of Communications.

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission.

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DATE PROPOSED RULE APPROVED: September 6, 1994.

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting at (904) 488-8371 at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).