

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of ) DOCKET NO. 950412-TL  
tariff filing to change ) ORDER NO. PSC-95-0635-FOF-TL  
termination liability associated ) ISSUED: May 23, 1995  
with Integrated Services Digital )  
Network-Primary Rate Interface )  
(ISDN-PRI) by United Telephone )  
Company of Florida (T-95-153 )  
filed 3/10/95). )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman  
J. TERRY DEASON  
JOE GARCIA  
JULIA L. JOHNSON  
DIANE K. KIESLING

ORDER APPROVING TARIFF

BY THE COMMISSION:

On March 10, 1995, United Telephone Company of Florida (United or Company) filed a tariff proposing to change the termination liability associated with Integrated Services Digital Network-Primary Rate Interface (ISDN-PRI). ISDN allows for simultaneous digital transmission for both data and voice. PRI is the technology that enhances T1 facilities by providing common signaling. ISDN-PRI is available on a month-to-month basis or under variable rate periods. Under variable rate periods, the rates are based on lengths of 24-48 months, 49-72 months, or 73-96 months.

Currently, the termination liability charge is imposed at the date of premature termination. The charges are equal to the number of months remaining in the contract times the monthly rate provided under the contract.

The proposed tariff filing would change the current provisions for customers who disconnect their service before the end of the contract period. For those customers who disconnect in the first twelve months, the termination liability will consist of 100 percent of the payments remaining in the first twelve months, as well as 50 percent of the payments which remain in the contract period. For termination after the end of the twelve month period, the termination liability will be 50 percent of the remaining

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contract payments. Customers requesting a transfer of service will not be charged termination liability charges.

We note that the Company is uncertain of the impact this filing will have on revenue. According to the Company, it will have more information once customers have actually requested termination of this service.

Upon consideration, we find that the tariff filing is appropriate and should be approved. The customers who terminate service will receive a reduction over current charges. This filing also realigns termination liability charges to make them consistent with other provisions associated with this service. The filing is also similar to other companies with termination liability provisions. Accordingly, the tariff is approved with an effective date of May 9, 1995.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that United Telephone Company of Florida's tariff proposing to change the termination liability associated with Integrated Services Digital Network-Primary Rate Interface is approved, effective May 9, 1995, as set forth in the body of this Order. It is further

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

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

By ORDER of the Florida Public Service Commission, this 23rd day of May, 1995.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

by: Kay Flynn  
Chief, Bureau of Records

( S E A L )  
TWH

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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 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, by the close of business on June 13, 1995.

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.