

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 950417-TL
tariff filings to modify) ORDER NO. PSC-95-0705-FOF-TL
requirements for upgrades of) ISSUED: June 12, 1995
service under provision of the)
Channel Services Payment Plan in)
the Access and Private Line)
tariffs by BellSouth Tele-)
communications, Inc. d/b/a)
Southern Bell Telephone and)
Telegraph Company)
_____)

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 MODIFICATIONS OF REQUIREMENTS FOR
UPGRADES OF SERVICE UNDER PROVISIONS OF CHANNEL
SERVICES PAYMENT PLAN IN ACCESS AND PRIVATE LINE TARIFFS

BY THE COMMISSION:

By Order No. PSC-95-0239-FOF-TL, issued February 21, 1995, in Docket Nos. 950034-TL and 950035-TL, the Commission approved BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company's (Southern Bell's) tariff to enhance the provisions of its existing channel services payment plans (CSPP). The CSPP is a payment plan that allows customers to pay stabilized rates for channel service equipment and facilities, over different contractual payment periods.

On March 24, 1995, Southern Bell filed proposed revisions to its Access tariff to modify requirements for upgrades of service under provisions of the CSPP. Southern Bell has added language to require that a minimum service period of twelve months or twenty-five percent of the originally selected service period, whichever is greater, be completed in order for the customer not to pay the termination charges normally associated with a disconnect. Termination charges are charges paid in order to get out of the contract.

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Southern Bell also filed proposed modifications to its Private Line tariff for upgrades of service under provisions of the CSPP. Currently, customers who request upgrades of service must complete a minimum service period of twelve months or twenty-five percent of the originally selected service period. Southern Bell proposes to modify the requirements for upgrades of service by relocating the language from under the specific services to the section that contains the other minimum service period requirements. This language is consistent with the language that Southern Bell has added to its Access tariff.

Southern Bell also proposes to revise its treatment of jurisdictional changes in its Private Line tariff. By Order No. PSC-95-0239-FOF-TL, issued February 21, 1995, in Docket Nos. 950034-TL and 950035-TL, the Commission approved revisions to Southern Bell's Access tariff that allowed a customer to change tariff jurisdiction without incurring termination liability. Southern Bell proposes to add the same language to its Private Line tariff.

Southern Bell proposes that a change in jurisdiction, from intraLATA private line service to an intrastate special access service or vice versa, will not constitute a disconnection of service, provided that the new CSPP arrangement is:

- 1) a minimum twenty-four month service period, or equals or exceeds the remaining service period, whichever is greater;
- 2) the completed service period is twelve months or twenty-five percent of the length of the originally selected CSPP service period, whichever is greater, and;
- 3) the new CSPP arrangement is for the same customer at the same location for the same capacity service.

If such conditions are met, then termination charges would not apply.

Upon consideration, we find that the proposed revision to Southern Bell's Access tariff are appropriate, because it will prevent customers who have recently begun contracts from terminating that contract with no charge. The proposed revision will also create further parity between the Access and Private Line tariffs for CSPPs. Further, there are negligible revenue impacts; the revision will only impact CSPP customers who wish to upgrade their service. Southern Bell's proposed revisions to its Access tariff are, therefore, approved, effective May 23, 1995.

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We also find that Southern Bell's proposed revisions to its Private Line tariff are appropriate. The jurisdictional change provision allows customers to avoid termination liability charges when the change in service is a paper, as opposed to a physical, change. The revisions also create further parity between the Access and Private Line tariffs for CSPPs. There are negligible revenue impacts; the revisions will only impact CSPP customers who wish to change jurisdictions or upgrade their service. Southern Bell's proposed revisions to its Private Line tariff are, therefore, approved, effective May 23, 1995.

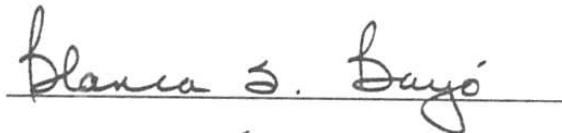
It is, therefore,

ORDERED by the Florida Public Service Commission that the tariffs to modify requirements for upgrades of service under provision of the Channel Services Payment Plan in the Access and Private Line tariffs by BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company are approved, effective May 23, 1995. It is further

ORDERED that, in the event of a timely protest, the tariff approved herein shall remain in effect, with any increase held subject to refund, pending resolution of the protest. It is further

ORDERED that, unless a timely protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 12th day of June, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

RJP

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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 32399-0850, by the close of business on July 03, 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.