

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition to Initiate ) DOCKET NO. 950778-TL  
Investigation of Potential ) ORDER NO. PSC-95-1093-FOF-TL  
Changes to Rules 25-4.066 ) ISSUED: September 5, 1995  
Through 25-4.080, F.A.C., by )  
BellSouth Telecommunications, )  
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 GRANTING PETITION TO INITIATE RULEMAKING

BY THE COMMISSION:

In the Stipulation and Agreement Between the Office of Public Counsel (OPC) and BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company), which was approved by us in Order No. PSC-94-0172-FOF-TL, Southern Bell and OPC stipulated that they would "jointly petition the FPSC to conduct workshops on any issue or issues related to the FPSC's quality of service rules that either party believes need to be clarified or addressed." In re Comprehensive review of revenue requirements and rate stabilization plan of Southern Bell; In re Investigation into the integrity of Southern Bell's repair service activities and reports; In re Investigation in Southern Bell's compliance with Rule 25-4.110(2), F.A.C., Rebates; In re Show cause proceeding against Southern Bell for misbilling customers; In re Request by Broward Board of County Commissioners for extended area service between Ft. Lauderdale, Hollywood, North Dade and Miami, 94 F.P.S.C. 2:238, 257 (1994). In response to this stipulation provision, we stated:

We do not believe that the terms of the Settlement were intended to restrict us or our staff from performing our duties, and we intend to continue working with Southern Bell and interested parties to address concerns raised in

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our investigation dockets. In addition, it is our intent to proceed with other work relating to Southern Bell in the same fashion as we normally do for other local exchange companies.

Id. at 2:243.

On July 7, 1995, pursuant to Rule 25-22.012, Florida Administrative Code, Southern Bell petitioned the Commission "to investigate and implement changes in [Rules 25-4.066 through 25-4.080], which relate to quality of service standards." Although Southern Bell did not style its pleading as a petition to initiate rulemaking, we shall treat it as such since the action Southern Bell seeks is a determination as to whether our quality of service rules should be changed. Southern Bell argues that many of the quality of service rules are outdated because of technology changes and the 1995 telecommunications legislation. We agree that some of these rules may need updating. We disagree, however, that the sole "appropriate standard for customer satisfaction should be the customers' opinions and views on whether they are receiving a satisfactory quality of service" as measured by the serving company. (Petition at p. 3) We grant Southern Bell's petition by initiating rulemaking concerning Rules 25-4.066 through 25-4.080 to review all appropriate quality of service standards, not just customer satisfaction.

On July 11, 1995, OPC filed a Notice of Intervention in this docket. Neither our rules or Chapter 120, Florida Statutes, however, require interested persons to formally intervene in a rulemaking proceeding. Therefore, it is not necessary to acknowledge Public Counsel's Notice of Intervention. OPC and any other interested person may participate in these rulemaking proceedings without formally seeking intervention.

It is therefore

ORDERED by the Florida Public Service Commission that the Petition of Southern Bell Telephone and Telegraph Company to Initiate Investigation of Potential Changes to Rules 25-4.066 through 25-4.080, F.A.C., is granted as discussed above.

State of Florida



# Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: August 31, 1995  
TO: DIVISION OF RECORDS AND REPORTING  
FROM: MARY ANNE HELTON, DIVISION OF APPEALS  
RE: DOCKET NO. 950778-TL

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Attached is an order to be filed in the above referenced docket.

MAH  
Attachments

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