

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 951010-TL
tariff filing to waive non-) ORDER NO. PSC-95-1263-FOF-TL
recurring charge or monthly) ISSUED: October 16, 1995
recurring charge for Native Mode)
LAN Interconnection Service by)
BellSouth Telecommunications,)
Inc. d/b/a Southern Bell)
Telephone and Telegraph Company.)
(T-95-485 filed 7/31/95))
_____)

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 June 15, 1994, BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell) filed a tariff to provide Native Mode Local Area Network Interconnection Service (NMLI). NMLI is a high-speed fiber optic data transport service for the interconnection of customer-owned local area networks (LANs). An intraLATA service, NMLI provides customers the ability to extend Ethernet or Token Ring LANs across metropolitan areas by interconnecting two or more like LANs.

NMLI allows for the transport of data at native speed and native protocol. Native speed refers to the originating transmission speed of the data traffic. NMLI allows the user to connect to the network interface without changing the data's transmission speed. Native protocol refers to the packet structure that is associated with the LANs. Protocols handle the format and timing of exchanged information. Transport of data at native speed and protocol eliminates the need for the user to reformat data in order to meet Southern Bell's standard transmission characteristics.

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NMLI service provides three types of port connections through which customer LANs are interconnected: (1) a Token Ring Port operating at 4 Megabits per second (Mbps); (2) an Ethernet Port operating at 10 Mbps; and (3) a Token Ring Port operating at 16 Mbps. The tariff became effective August 13, 1994.

On July 31, 1995, Southern Bell filed this tariff to introduce a special promotion for NMLI. The proposed promotion offers customers the option of either waiving nonrecurring charges or one month's recurring charges. Southern Bell proposes to run this promotion from October 1, 1995 through January 31, 1996. Southern Bell expects that the promotion, in the face of competition from alternative providers, will stimulate demand for the service.

Southern Bell estimates that from October 1, 1995 through January 31, 1996, the total nonrecurring and recurring revenues without the special promotion would be \$150,480. Total costs would equal \$89,505 with contribution equaling \$60,975, based on normal demand growth. During the same period with the promotion, the Southern Bell expects net revenues of \$171,526. Total costs are expected to equal \$128,088 with contribution equaling \$43,438. While the contribution from the service will decline during the promotional period, Southern Bell expects contribution will increase after the promotion period ends.

We find Southern Bell's tariff to be appropriate. We approve Southern Bell's tariff to waive nonrecurring charges or one month's recurring charges for NMLI, effective September 29, 1995. We have approved special promotions for data transport services in the past and believe special promotions are appropriate for stimulating sales of competitive services, like NMLI. Even with the promotion, Southern Bell's total recurring and nonrecurring costs will be recovered by total recurring and nonrecurring revenue.

It is, therefore,

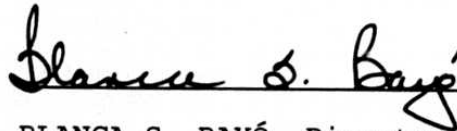
ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company's tariff to waive nonrecurring charges or one month's recurring charges for its Native Mode Local Area Network Interconnection Service from October 1, 1995 through January 31, 1996. It is further

ORDERED that this tariff shall be effective September 29, 1995. It is further

ORDER NO. PSC-95-1263-FOF-TL
DOCKET NO. 951010-TL
PAGE 3

ORDERED that if a timely protest is filed in accordance with the requirements set forth below, this tariff shall remain in effect with any increase in revenues 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 16th day of October, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

LMB

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 November 6, 1995.

ORDER NO. PSC-95-1263-FOF-TL
DOCKET NO. 951010-TL
PAGE 4

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.