

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Amendments to ) DOCKET NO. 960525-TL  
Rule 25-24.471, F.A.C., ) ORDER NO. PSC-96-1182-NOR-TL  
Application for Certificate ) ISSUED: September 20, 1996  

---

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

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-24.471, Florida Administrative Code, relating to application for certificate.

The attached Notice of Rulemaking will appear in the September 27, 1996 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at the following time and place:

Florida Public Service Commission  
9:30 a.m., January 30, 1997  
Betty Easley Conference Center  
Room 152, 4075 Esplanade Way  
Tallahassee, Florida 32399-0850

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, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than October 18, 1996.

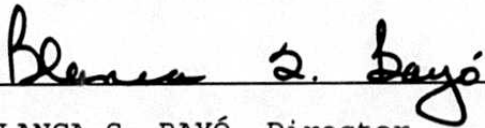
DOCUMENT NUMBER DATE

1004 | SEP 20 88

FPSC-RECORDS/REPORTING

ORDER NO. PSC-96-1182-NOR-TL  
DOCKET NO. 960525-TL  
PAGE 2

By ORDER of the Florida Public Service Commission, this 20th  
day of September, 1996.

A handwritten signature in cursive script, reading "Blanca S. Bayó", is written over a horizontal line.

BLANCA S. BAYÓ, Director  
Division of Records & Reporting

( S E A L )

DWC

ORDER NO. PSC-96-1182-NOR-TL  
DOCKET NO. 960525-TL  
PAGE 3

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 960525-TL

RULE TITLE:

RULE NO.:

Application for Certificate

25-24.471

PURPOSE AND EFFECT: Portions of the proposed rule amendments are corrections to the rule which had been inadvertently sent for publication and became effective in March 1996. The incorrect version failed to include the changes voted on by the Commission such as to recognize alternative local exchange carriers (ALECs) as providers of 0- service and to provide that ALECs meet certain service standards. The incorporation by reference of PSC/CMU Form 31 was also not included. This amendment makes the corrections to conform the rule to that which was approved by the Commission at its February 6, 1996, agenda conference. The amendment also removes the restriction that reserved all 1+ and 0+ dialed intraLATA toll calls to the local exchange companies (LECs), and allows interexchange carriers (IXCs) the ability to provide 1+ and 0+ intraLATA toll calls.

SUMMARY: The rule is amended to allow IXCs the ability to provide 1+ and 0+ intraLATA toll calls; it recognizes ALECs as providers of 0- service and places certain service requirements on those ALECs providing the 0- service, and incorporates by reference revisions to PSC/CMU Form 31.

RULEMAKING AUTHORITY: 350.127(2), FS.

ORDER NO. PSC-96-1182-NOR-TL  
DOCKET NO. 960525-TL  
PAGE 4

LAW IMPLEMENTED: 364.03, 364.32, 364.33, 364.335, 364.337, 364.345,  
FS.

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., January 30, 1997.

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade  
Way, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC  
IMPACT STATEMENT IS: Director of Appeals, Florida Public Service  
Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-24.471 Application for Certificate.

(1) An applicant desiring to apply for a certificate shall  
submit an application on Commission Form PSC/CMU 31 (XX/XX) ~~(4/91)~~,  
which is incorporated into this rule by reference. Form PSC/CMU 31  
(XX/XX) ~~(4/91)~~, entitled "Application Form for Authority to Provide  
Interexchange Telecommunications Service Between Points Within the  
State of Florida," may be obtained by contacting the Commission's  
Division of Communications. A non-refundable application fee of  
\$250.00 must accompany the filing of all applications.

(2) An original and 12 ~~twelve (12)~~ copies of the application shall be filed with the Division of Records and Reporting.

(3) A certificate will be granted if the Commission determines that such approval is in the public interest.

(4) Any authority granted to interexchange companies (IXCs) previously or hereafter is subject to the following:

(a) Toll authority granted to all companies is statewide. A company may provide toll service over its own or resold facilities. However, end user dialed 0+ local and all 0- calls shall be initially routed to the serving local exchange company or alternative local exchange company ~~the local exchange company shall be the sole carrier for 0+ local, 0- local and 0- intraLATA toll calls dialed by end users.~~ When operator services are provided by the alternative local exchange company, the alternative local exchange company must also provide access to emergency service, busy line verification, and emergency interrupt service to the end user on at least the same level as that provided by the local exchange company. Call aggregators and IXCs shall not change or augment the dialing pattern of end users for 0+ local or 0- ~~such~~ calls. ~~IXCs may only provide intraLATA toll services to end users with whom they have a prior and ongoing relationship or who dial the appropriate access code, e.g., 950, 800, or 10XXX.~~

(b) Minor ~~i~~interexchange companies are not required to provide service throughout their certificated service area, but must accept

customers on a nondiscriminatory basis. Companies deemed major interexchange companies on December 31, 1994, are required to provide service in any exchange that is not equal access capable to all customers in that exchange making a request for service.

(c) Where only one interexchange carrier is available in a confinement facility, that interexchange carrier shall provide for completion of all inmate calls allowed by the confinement facility.

(d) A certificate to provide interexchange service does not carry with it the authority to provide local exchange, shared tenant, alternative access, alternative local exchange, or pay telephone service. A separate application must be made for such authority.

Specific Authority 350.127(2), FS.

Law Implemented 364.03, 364.32, 364.33, 364.335, 364.337, 364.345, FS.

History: New 2-23-87, Amended 5-8-91, 11-20-91, 12-22-92, 10-10-94, 3-13-96, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wayne Stavanja.

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

DATE PROPOSED RULE APPROVED: September 16, 1996.

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

ORDER NO. PSC-96-1182-NOR-TL  
DOCKET NO. 960525-TL  
PAGE 7

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) 413-6770 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).