

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed adoption of Rule 25-4.119, F.A.C., Line Information Database Maintenance; and proposed amendment to Rules 25-24.830, F.A.C., Consumer Information, and 25-24.840, F.A.C., Service Standards.

DOCKET NO. 021166-TP
ORDER NO. PSC-03-0150-NOR-TP
ISSUED: January 29, 2003

The following Commissioners participated in the disposition of this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to adopt Rule 25-4.119 and amend Rules 25-24.830 and 25-24.840, Florida Administrative Code, relating to requirements to make available, through the Line Information Database, sufficient information to ensure that collect and third party calls to ALEC customers are properly billed.

The attached Notices of Rulemaking will appear in the February 7, 2003, edition of the Florida Administrative Weekly. If timely requested, a hearing will be held at a time and place to be announced in a future notice.

Written requests for hearing and written comments or suggestions on the rules must be received by the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than February 28, 2003.

DOCUMENT NUMBER DATE

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FPSC-COMMISSION CLERK

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By ORDER of the Florida Public Service Commission, this 29th
day of January, 2003.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

SMC

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NOTICE OF PROPOSED RULEMAKING

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 021166-TP

RULE TITLE:	RULE NO.:
Line Information Database	25-4.119

Maintenance

PURPOSE AND EFFECT: The rule will make available through the Line Information Database (LIDB) sufficient information to ensure that collect and third party calls to alternative local exchange carrier (ALEC) customers can either be properly billed through billing and collection agreements or through the acquisition of the billing name and address information from the ALEC serving the customer accepting the charges for the call.

SUMMARY: The rule will require the local exchange carrier (LEC) to update LIDB with the account ownership code of the ALEC when the ALEC has contracted with the LEC for this service. If the ALEC has not contracted with the LEC, subsection (1)(b) provides access to the LIDB for the ALEC to update the database directly. Paragraph (2) exempts certain LECs from the requirements of the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: LECs indicated that the initial expense of complying with the proposed rule

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adoption may range from \$26,000 to \$485,000, not including the costs associated with development of work the third party LIDB provider may experience. All the companies indicated that their billing systems will have to be modified if the proposed rule adoption takes effect. Some ALECs indicated that they would experience transactional costs to comply with the proposed rule adoption. The only costs that the Commission and other state entities are expected to incur are associated with promulgating the rule. Local governments may incur costs similar to private ALECs if they offer calling services but do not have the necessary billing processes. Also, small businesses, cities, and counties may be affected if they have an ALEC certificate and offer calling services, and the costs could be similar to those of private telecommunications companies.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 350.115, 364.03, F.S.

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WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Moses, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6245.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.119 Line Information Database Maintenance

(1) Within 6 months of the effective date of this rule, each local exchange telecommunications company shall:

(a) Update the Line Information Database (LIDB) with the account ownership code of the Alternative Local Exchange Company claiming the customer, provided the ALEC has contracted with the local exchange company to provide such information or has purchased the line directly from the local exchange company; and

(b) Provide ALECs access to LIDB, or provide updates on a contractual basis, at reasonable cost-based terms and conditions, for each ALEC that enters into a contract.

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(2) LECs are exempt from subsection (1) of this rule if there is no ALEC within the service area that allows third-party or collect calls. If an ALEC in the service area elects to allow third-party or collect calls, the LEC shall comply with this rule within 6 months after such time.

Specific Authority: 350.127(2) FS.

Law Implemented: 350.115, 364.03 FS.

History: New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rick Moses

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:
Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: January 21, 2003.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 31,
2002, Vol. 28, No. 22.

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NOTICE OF PROPOSED RULEMAKING

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 021166-TP

RULE TITLE:	RULE NO.:
Consumer Information	25-24.830
Service Standards	25-24.840

PURPOSE AND EFFECT: The rule will make available through the Line Information Database (LIDB) sufficient information to ensure that collect and third party calls to alternative local exchange carrier (ALEC) customers can either be properly billed through billing and collection agreements or through the acquisition of the billing name and address information from the ALEC serving the customer accepting the charges for the call.

SUMMARY: Rule 25-24.830 will require an ALEC that chooses to restrict its customers from receiving collect or third party billing services to inform its potential customers about the calling restrictions. Rule 25-24.840 will require the ALEC to provide billing name and address information at a reasonable cost and in a timely manner to any telecommunications company that requests the information unless the ALEC has an active billing and

collection agreement and to update account ownership information and appropriate toll restriction information directly into LIDB or contract with the appropriate LEC for daily updates.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: LECs indicated that the initial expense of complying with the proposed rule amendment may range from \$26,000 to \$485,000, not including the costs associated with development of work the third party LIDB provider may experience. All the companies indicated that their billing systems will have to be modified if the proposed rule amendment takes effect. Some ALECs indicated that they would experience transactional costs to comply with the proposed rule amendment. The only costs that the Commission and other state entities are expected to incur are associated with promulgating the rule. Local governments may incur costs similar to private ALECs if they offer calling services but do not have the necessary billing processes. Also, small businesses, cities, and counties may be affected if they have an ALEC certificate and offer calling services, and the costs could be similar to those of private telecommunications companies.

Any person who wishes to provide information regarding the

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statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 364.337, 364.03, 364.035, 364.345, F.S. and Ch. 95-403, §32, L.O.F.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Moses, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6245.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-24.830 Consumer Information

(1) The quality of service information in paragraph (1)(d) of rule 25-24.825 shall be provided, verbally or in writing, upon request to any person inquiring about the company's basic local

exchange telecommunications service. In addition, the above information shall be provided in writing before or in the basic local exchange telecommunications customer's first bill for service. The above information shall be expressed in simple words, sentences, and paragraphs. Unnecessarily long, complicated, or obscure phrases or acronyms must be avoided.

(2) If an ALEC elects not to provide any third-party billing or collect call services to its customers, the ALEC shall so state in its price list and notify customers of such prior to a customer agreeing to obtain local service from the ALEC. In addition, the above information shall be provided in writing before or in the basic local exchange telecommunications customer's first bill for service. The above information shall be expressed in simple words, sentences, and paragraphs. Unnecessarily long, complicated, or obscure phrases or acronyms must be avoided.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.337(5), F.S., Ch. 95-403, §32, L.O.F.

History: New 12/26/95, XX-XX-XX.

25-24.840 Service Standards

(1) Each provider of alternative local exchange

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telecommunications service shall make access to 9-1-1 emergency services available to each of its basic telecommunications service customers at a level at least equivalent to the service provided by the incumbent local exchange company.

(2) ~~By July 1, 1997,~~ Access to 911 services shall be maintained for the duration of any temporary disconnection for non-payment of a residential subscriber's local service.

(3) Within 6 months of the effective date of this section, each Alternative Local Exchange Company shall:

(a) Provide billing name and address information of the end-user at a reasonable cost and in a timely manner to any telecommunications company that requests the information unless the ALEC has an active billing and collection agreement.

(b) Update account ownership information and appropriate toll restriction information directly into LIDB or contract with the appropriate local exchange company for daily updates.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.03, 364.035, 364.337, 364.345, F.S.

History: New 05/06/97, XX-XX-XX.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rick Moses

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NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission.

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