

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of the requirements )	DOCKET NO. 871394-TP
appropriate for alternative operator )	ORDER NO. 21396
services and public telephones )	ISSUED: 6-16-89

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman  
 THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 JOHN T. HERNDON

ORDER APPROVING NOTICE OF CORPORATE UNDERTAKING

BY THE COMMISSION:

On December 21, 1988, we issued Order No. 20489 in the above-referenced docket, which set forth the provisions and requirements Alternative Operator Service (AOS) providers must comply with to provide intrastate operator services. Under the terms of the Order the majority of its provisions were to go into effect within thirty (30) days of the Order's issuance date. Several parties filed motions for Reconsideration of the Order that we will address separately. Our decision in the instant Order is only intended to address the Notice of Corporate Undertaking filed in this docket on April 25, 1989, by International Telecharge, Inc. (ITI).

By Order No. 20489, we directed AOS providers to file tariffs reflecting AT&T Communications, Inc. (ATT-C) time-of-day rates. Our Order prohibited AOS providers from charging more than ATT-C would charge for a comparable call. In most instances, our decision resulted in a rate reduction for AOS providers. Not surprisingly some of the providers sought a stay of this portion of our Order, which we granted in Order No. 21051, issued April 14, 1989. However, as provided by Rule 25-22.061, Florida Administrative Code, we conditioned our stay upon the posting of good and sufficient bond, or the posting of a corporate undertaking. We noted that whatever method a company chose would be subject to our approval, prior to the effective date of the new rates.

We have reviewed the Notice of Corporate Undertaking filed by ITI in this docket and find it to be in compliance with the requirements of Order No. 21051 and Rule 25-22.061, Florida Administrative Code. While we believe ITI's calculations are somewhat limited, we find them sufficient to support ITI's projection of those revenues subject to the corporate undertaking, which ITI estimates at \$30,000.00 per month. It appears that ITI is financially able to set such funds aside and thus the public interest will be adequately protected if we approve ITI's request to charge rates above the applicable ATT-C time-of-day rates plus operator service charges, subject to the Notice of Corporate Undertaking.

Therefore, based on the foregoing, it is

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ORDERED by the Florida Public Service Commission that the Notice of Corporate Undertaking filed by International Telecharge, Inc. on April 25, 1989, is hereby approved as set forth in the body of this Order. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission,  
this 16th day of JUNE, 1989.

  
STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

ABG

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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer 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 after the issuance of this order, 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.