

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 920962-TL
tariff filing to introduce N11) ORDER NO. PSC-93-1262-FOF-TL
service by BELLSOUTH TELECOM-) ISSUED: August 31, 1993
MUNICATIONS, INC. d/b/a SOUTHERN)
BELL TELEPHONE AND TELEGRAPH)
COMPANY.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

ORDER GRANTING WAIVER

BY THE COMMISSION:

On April 9, 1993, BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or Company) filed a Motion for Clarification of Rule 25-4.110(10)(a), or Alternatively, For Waiver of This Rule (Motion). By the Motion, Southern Bell seeks to rectify a problem regarding its N11 billing arrangement with Palm Beach News, Inc. (PBNI).

Rule 25-4.110(10)(a), Florida Administrative Code provides that:

Charges for Pay Per Call service (900 or 976) shall be segregated from charges for regular long distance or local charges by appearing separately under a heading that reads as follows: "Pay Per Call (900 or 976) nonregulated charges."

The trial for N11 pay-per-call service in West Palm Beach was approved under existing 900/976 rules. These rules did not anticipate N11 service. Southern Bell asserts that including "Pay Per Call (900 or 976) nonregulated charges" on a customer's bill for N11 charges is both inaccurate and confusing. The Company suggests that allowing it to delete "(900 or 976)" in the heading would remedy the problem.

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Upon review, we agree that the circumstance created by compliance with the Rule is confusing to PBNI's N11 customers. Under the circumstances it is found to be appropriate to waive Rule 25-4.110(10)(a) for the specific purpose of allowing Southern Bell to bill PBNI's N11 customers in a non-confusing manner. Thus, Rule 25-4.110(10)(a) shall be waived to allow Southern Bell to delete the words "(900 or 976)" on its N11 bills.

Based upon the foregoing, it is

ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company's Motion for Clarification/Waiver of Rule 25-4.110(10)(a), Florida Administrative Code regarding pay-per-call billing is approved. Rule 25-4.110(10)(a) is hereby waived to allow Southern Bell to delete the words "(900 or 976)" from its pay-per-call bill heading for N11 calls. It is further

ORDERED that this docket shall remain open for a final decision in this proceeding.

By ORDER of the Florida Public Service Commission this 31st day of August, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

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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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.