

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF APPEALS
DAVID SMITH
DIRECTOR
(850) 413-6245

Public Service Commission

April 29, 1999

Mr. Carroll Webb
Joint Administrative Procedures
Committee
120 Holland Building
Tallahassee, Florida 32399

Re: Docket No. 990375-TX - Proposed Amendments to Rule 25-24.835, F.A.C., Rules Incorporated

Dear Mr. Webb:

Enclosed are an original and two copies of the following materials concerning the above referenced proposed rule:

1. A copy of the rule.
2. A copy of the F.A.W. notice.
3. A statement of facts and circumstances justifying the proposed rule.
4. A federal standards statement.
5. No statement of estimated regulatory costs was prepared.

If there are any questions with respect to this rule, please do not hesitate to call on me.

Sincerely,

Diana W. Caldwell

Diana W. Caldwell
Associate General Counsel

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS _____
- OPC _____
- RRR _____
- SEC 1
- WAV _____
- OTH _____

AMD24835.MRD
Enclosures
cc: Division of Records & Reporting

DOCUMENT NUMBER-DATE

05485 APR 30 99

PSC-RECORDS/REPORTING

1 25-24.835 Rules Incorporated.
2 The following rules are incorporated herein by reference and apply
3 to alternative local exchange companies.

4		<u>Portions</u>
5	Section Title	<u>Applicable</u>
6	25-4.0161 Regulatory Assessment Fees	<u>All</u>
7	25-4.043 Response to Commission Staff	<u>All</u>
8	Inquiries	
9	25-4.036 Design and Construction of Plant	<u>All</u>
10	25-4.038 Safety	<u>All</u>
11	25-4.160 Operation of Telecommunications	<u>All</u>
12	Relay Service	
13	<u>25-24.480 Records and Reports; Rules</u>	<u>Subsection (2)</u>
14	<u>Incorporated</u>	
15	Specific Authority 350.127(2), <u>364.337(2)</u> 427.704(8) FS.	
16	Law Implemented <u>364.183</u> , 364.336, 364.337(2) FS.	
17	History--New 12-27-95, Amended 4-8-98, <u>XX-XX-XX</u> .	

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CODING: Words underlined are additions; words in
~~struck through~~ type are deletions from existing law.

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), 364.337(2), 427.704(8) FS.

LAW IMPLEMENTED: 364.183, 364.336, 364.337(2) 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.

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:

Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6245.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-24.835 Rules Incorporated.

The following rules are incorporated herein by reference and apply to alternative local exchange companies.

		<u>Portions</u>
Section	Title	<u>Applicable</u>
25-4.0161	Regulatory Assessment Fees	<u>All</u>
25-4.043	Response to Commission Staff Inquiries	<u>All</u>
25-4.036	Design and Construction of Plant	<u>All</u>

25-4.038 Safety

All

25-4.160 Operation of Telecommunications

All

Relay Service

25-24.480 Records and Reports; Rules

Subsection (2)

Incorporated

Specific Authority 350.127(2), 364.337(2) 427.704(8) FS.

Law Implemented 364.183, 364.336, 364.337(2) FS.

History--New 12-27-95, Amended 4-8-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tony McCoy.

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: April 20, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

Volume 24, Number 51, December 18, 1998

Rule 25-24.835

Docket No. 990375-TX

**STATEMENT OF FACTS AND CIRCUMSTANCES
JUSTIFYING RULE**

There is no current rule that addresses an ALECs responsibility to provide the Commission with updated company address, phone number, and liaison changes within 10 days of the change. By not requiring the ALECs to submit timely company information changes, the Commission is vulnerable to having inaccurate information on file, cannot process consumer complaints, and cannot notify the companies of impending regulatory matters.

STATEMENT ON FEDERAL STANDARDS

There is no federal standard on the same subject.