

ORIGINAL

NOTICE OF PROPOSED RULE DEVELOPMENT

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO: 010774-TP

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STATE OFFICE OF STATE  
TALLAHASSEE, FLORIDA

PURPOSE AND EFFECT: This Commission has granted the Office of Public Counsel's (OPC) petition to initiate rulemaking in this docket. According to OPC, the purpose of this rule is to require telephone companies to give customers actual notice before implementing any change in rates or other terms and conditions of service.

SPECIFIC AUTHORITY: 364.0252 and 364.19, F.S.

LAW IMPLEMENTED: 364.0252 and 364.19, F.S.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: Thursday, September 13, 2001 - 9:30 a.m.

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

A copy of questions to which staff would like written responses by August 30, 2001, may be obtained from Samantha M. Cibula, at the address listed below.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Commission Clerk and Administrative Services at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the

DOCUMENT NUMBER-DATE

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FPSC-RECORDS-REPORTING

Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Samantha M. Cibula, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850) 413-6202.

THE FULL TEXT OF THE RULE PROPOSED BY OPC IS:

All telecommunications companies furnishing service within this state shall provide notice of any change in rates or other terms and conditions of service directly to each customer that may be affected by the change. If the change may increase the cost of service for a customer, notice shall be provided at least 30 days in advance of any change in rates or terms and conditions of service. Notice of price increase shall be sent via first class mail. Service by mail of the notice of price increase shall be complete upon mailing. No change in tariffs, price lists, or terms and conditions that may increase the cost of service for a customer will be effective unless notice of the change is provided to customers as required by this rule. In the case of a rate decrease, telecommunications companies shall notify each affected customer no later than the first bill following implementation of the rate change. Any notice required by this sub-section shall be printed in a 12-point type or larger, and shall be clear, conspicuous, and legible. The notice shall include, at a minimum, the name and nature of any and all services to be changed, the past

rates and the anticipated new rates. Notice of price increase shall include as a heading "NOTICE OF PRICE INCREASE" in uppercase, bold print. The envelope containing the notice of price increase shall contain a notice on the front thereof: "NOTICE OF PRICE INCREASE ENCLOSED" in uppercase, bold print. That telecommunications companies have tariffs or price lists for services on file with the commission is not a defense to any action brought for failure to disclose prices for which disclosure is required under this rule.