

STATE OF FLORIDA

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



OFFICE OF THE GENERAL COUNSEL  
HAROLD A. MCLEAN  
GENERAL COUNSEL  
(850) 413-6199

# Public Service Commission

January 29, 2003

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

Re: Docket No. 010774-TP - Petition of the Citizens of the State of Florida to Initiate Rulemaking Which will Require Telephone Companies to Give Customers Reasonable Notice Before Customers Incur Higher Charges or Change in Services, and Allow Them to Evaluate Offers for Service from Competing Alternative Providers

Dear Mr. Webb:

Enclosed is the notice of change, which will be published in the Florida Administrative Weekly on February 7, 2003, and the statement of changes for the proposed Rule 25-24.491.

We plan to file the rule for adoption on February 28, 2003.

Sincerely,

Martha Carter Brown  
Senior Attorney

JAPC24-491.MCB  
Enclosure  
cc: Division of the Commission Clerk  
and Administrative Services

DOCUMENT NUMBER - DATE

00967 JAN 30 2003

FPSC-COMMISSION CLERK

FLORIDA PUBLIC SERVICE COMMISSION

OFFICE OF THE GENERAL COUNSEL

DOCKET NO. 010774-TP

RULE NO:25-24.491

RULE TITLE: Notice to Customers

Prior to Increase in Rates or Charges

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Volume 28, No. 42, October 18, 2002, issue of the Florida Administrative Weekly:

25-24.491 Notice to Customers Prior to Increase in Rates or Charges

- (1) All interexchange telecommunications companies shall provide reasonable notice of any increase in intrastate telecommunications rates, or any changes in terms or conditions that would cause an an ~~material~~ increase in customer charges, to each of their affected residential and single-line business retail subscribers, prior to implementation of the increase.
- (2) The notice shall be clear and conspicuous, shall be identified with the heading: "Notice of Price Increase," or "Notice of Price Change," if the change will result in a price increase for some customers and a price decrease for some customers, and shall be presumed reasonable if provided in any of the following manners:

- a) First class mail postmarked at least 15 days prior to the effective date of the increase in rates or charges to the customer;
- b) A bill insert or bill message mailed to the customer no later than one billing cycle prior to the effective date of the increase in rates or charges to the customer;
- c) For those customers who have elected to receive electronic billing, an electronic message sent at least 7 days prior to the effective date of the increase in rates or charges to the customer; or
- d) Pursuant to a written contract that specifically and conspicuously prescribes a method for notice of price increases.

Specific Authority: 350.127; 364.0252; 364.19, F.S.

Law Implemented: 364.0252; 364.19, F.S.

History: New\_\_\_\_\_.

STATEMENT OF CHANGES

Subsection (1) of Rule 25-24.491, Florida Administrative Code, has been changed to delete the word "material". The change was made to remove ambiguity and vagueness from the rule. No other changes have been made to the rule as proposed.