

ORIGINAL

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Deputy Public Counsel

March 10, 2004

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RECEIVED-FPSC
MAR 10 PM 3:20
COMMISSION
CLERK

RE: Docket No. 000733-TL

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of a Joint Motion of the Citizens of Florida and BellSouth Telecommunications, Inc., to Use Unclaimed Refunds for the Promotion of Lifeline and LinkUp Programs for filing in the above-referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

Charles J. Beck
Deputy Public Counsel

- AUS _____
- CAF _____ CJB/dsb
- CMP _____
- COM _____ 5 Enclosures
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- WMS _____
- SEC _____ 1
- OTH _____

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

03370 MAR 10 3

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation to determine whether
BellSouth Telecommunications, Inc.'s tariff
filing to restructure its late payment charge
is in violation of Section 364.051, F.S.

Docket No. 000733-TL

Filed: March 10, 2004

**JOINT MOTION OF THE CITIZENS OF FLORIDA AND BELL SOUTH
TELECOMMUNICATIONS, INC., TO USE UNCLAIMED REFUNDS
FOR THE PROMOTION OF LIFELINE AND LINKUP PROGRAMS**

Pursuant to Rule 28-106.303, Florida Administrative Code, the Citizens of Florida (Citizens), through Harold McLean, Public Counsel, and BellSouth Telecommunications, Inc. (BellSouth Telecommunications) file this motion requesting the Florida Public Service Commission (Commission) to authorize the use of unclaimed refunds in this proceeding for the promotion of Lifeline and LinkUp programs.

1. By Order no. PSC-01-1769-FOF-TL issued August 30, 2001, the Commission ordered BellSouth Telecommunications to refund all amounts collected through a restructured interest charge, with interest, to all affected customers. The order was silent about the treatment of unclaimed refunds. The Commission's order was affirmed by the Florida Supreme Court in *BellSouth Telecommunications, Inc., v. Jacobs*, 834 So.2d 855 (Fla. 2002).

DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

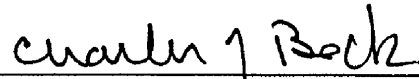
2. There is approximately \$2.9 million outstanding from the returned unpaid drafts and unrefunded amounts of less than \$1.00 per customer. Citizens and BellSouth Telecommunications believe that this money should be used to promote Lifeline and LinkUp programs in a manner consistent with the way these programs have been promoted pursuant to the settlement agreement between BellSouth Telecommunications and Citizens dated July 9, 2001, which was approved by this Commission by Order No. PSC01-1643-AS-TL issued on August 13, 2001.

3. Section 364.025, Florida Statutes (2003) states the Legislature's intent that universal service objectives be maintained after the local exchange market is opened to competitively provided services. These use of unclaimed refunds to promote Lifeline and Linkup programs will help to meet this objective. In addition, the importance of Lifeline and Linkup programs in meeting this objective is demonstrated by section 364.0252, Florida Statutes (2003), which states the Legislature's specific concern that consumers be informed concerning the availability of the Lifeline and LinkUp Programs for low-income households.

4, Citizens and BellSouth believe that the use of unclaimed refunds in this manner is consistent with the public interest and chapter 364, Florida Statutes.

Wherefore, Citizens and BellSouth Telecommunications urge the Commission to authorize the use of unclaimed refunds in this proceeding for the promotion of Lifeline and LinkUp programs, as described in this motion.

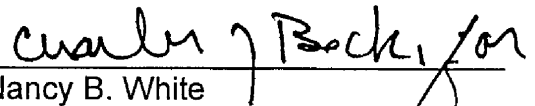
Respectfully submitted,



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Attorney for Florida's Citizens



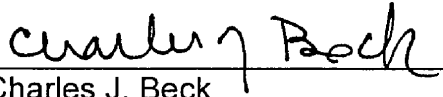
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Attorney for BellSouth
Telecommunications, Inc.

DOCKET NO. 000733-TL
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by
U.S. Mail or hand delivery to the following parties on March 10, 2004.


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