



ORIGINAL

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July 20, 2005

Via Federal Express
Ms. Blanca Bayo, Director
The Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED-APPSC
05 JUL 21 AM 10:18
COMMISSION
CLERK

Re: Docket No. 050387-TP

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket, please find the original and fifteen (15) copies of Supra Telecommunications and Information Systems, Inc.'s Motion to File Amended Petition and attached Exhibits which include the Amended Petition.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me in the self-addressed-stamped-envelope enclosed herein. Copies have been served to the parties shown on the attached Certificate of Service. If you have any questions, please do not hesitate to contact me.

Sincerely,

Steven B. Chaiken

- CMP _____
- COM _____
- CTR _____
- ECR _____
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- SEC 1
- OTH Kim P.

Cc: All Parties of Record

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Supra Telecommunications)
And Information Systems, Inc. to Review)
BellSouth Promotional Tariffs)
_____)

Docket No. 050387-TP
Filed: July 21, 2005

**SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.'S
MOTION TO FILE AMENDED PETITION**

Supra Telecommunications and Information Systems, Inc. ("Supra"), moves this Florida Public Service Commission ("Commission") for leave to file an amended petition. In support of its motion, Supra states as follows:

ARGUMENT

1. On June 3, 2005, Supra filed its *Petition of Supra Telecommunications and Information Systems, Inc. to Review BellSouth Promotional Tariffs* initiating the instant docket.
2. On June 20, 2005, BellSouth Telecommunications, Inc. ("BellSouth") filed its *Motion to Enforce the Confirmation Order* (the "Motion") in Case No. 02-41250-BKC-RAM before the United States Bankruptcy Court, Southern District of Florida and requested that Bankruptcy Court require Supra to dismiss the instant docket until September 18, 2005.
3. On June 30, 2005, the Bankruptcy Court heard oral arguments on the Motion.
4. On July 18, 2005, the Bankruptcy Court issued its *Order Granting In Part and Denying Part BellSouth Telecommunications, Inc.'s Motion to Enforce the Confirmation Order* (the "Order"). A copy of the Order is attached hereto as **Exhibit 1**.
5. Pursuant to the Order, Supra is required to file an amended petition removing reference to Tariff Numbers T-04-1224 or No. T-04-1223 and must refrain from challenging such tariffs until September 18, 2005.

DOCUMENT NUMBER-DATE

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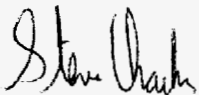
6. As a result of the Order, Supra respectfully requests that this Commission grant it leave to file an amended petition to allow Supra to comply with the Order.

7. Supra has attached to this motion as **Exhibit 2** a copy of Supra's amended petition, and requests that it be deemed filed in the event the Commission grants Supra's motion.

8. Supra has conferred with counsel for BellSouth and is authorized to represent that BellSouth has no objection to the relief requested.

WHEREFORE, Supra respectfully requests that this Commission enter an order granting Supra leave to file an amended petition and deem Supra's amended petition as filed.

Respectfully submitted,

By: 

Steven B. Chaiken
Brian Chaiken
SUPRA TELECOMMUNICATIONS AND
INFORMATION SYSTEMS, INC.
2901 SW 149th Ave., Suite 300
Miramar, Florida 33027

Dated: July 21, 2005

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was delivered by U.S. Mail to the persons listed below this 21st day of July 2005.

Ms. Nancy White
c/o Nancy Sims
BellSouth Telecommunications, Inc.
150 S. Monroe Street
Suite 400
Tallahassee, FL 32301

Ms. Beth Keating
Legal Division
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

James Meza
BellSouth Telecommunications, Inc.
675 West Peachtree Street, N.W.
Suite 4300
Atlanta, GA 30375

By: 

STEVEN CHAIKEN

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

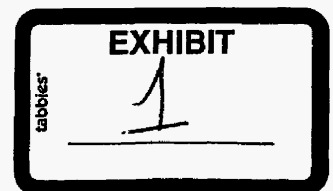
In re:)
) Chapter 11
SUPRA TELECOMMUNICATIONS &)
INFORMATION SYSTEMS, INC.,)
) Case No. 02-41250-BKC-RAM
Debtor.)
_____)

**ORDER GRANTING IN PART AND DENYING IN PART
BELLSOUTH TELECOMMUNICATIONS, INC.'S
MOTION TO ENFORCE THE CONFIRMATION ORDER**

THIS MATTER came before the Court on June 30, 2005 at 2:00 p.m., in Miami, Florida upon BellSouth's *Motion to Enforce the Confirmation Order* (the "Motion") (C.P. # 1926). The Court, having heard argument of counsel, and having reviewed the Motion and Supra's response thereto, **ORDERS** as follows:

A. Pursuant to Section 4.2 of the Final Purchase Agreement and Section IV(J)(9), footnote 35(iv), on page 86 of the Third Amended Disclosure Statement Relating to Plan of Reorganization by Supra Telecommunications And Information Systems, Inc. (collectively, the "Agreement"), Supra agreed not to challenge any promotional tariffs in effect for 2005 that are identical to the three (3) promotional tariffs (i.e. Tariff No. T-031379 (\$100 Cash Back Offer), Tariff No. T-031380 (\$25 Gift Card Promotion), and Tariff No. T-031381 (Line Installation Waiver Charge) that Supra challenged before the Florida Public Service Commission in Docket No. 040353-TP (the "Preferred Pack Claim") until after September 18, 2005;

B. As a result, Supra is required to file an Amended Petition with the Florida Public Service Commission to delete any reference to any identical successor tariff for each of the three



(3) promotional tariffs challenged in Docket No. 040353-TP (i.e. Tariff No. T-04-1223 and Tariff No. T-04-1224);

C. Supra is further prohibited from using the dollar values associated with the identical successor promotional tariffs that it currently cannot challenge in any proceeding at the Florida Public Service Commission until after September 18, 2005. Notwithstanding, Supra may refer to similar or identical dollar values to the extent such are contained in any other BellSouth promotional tariffs which Supra is not prohibited from challenging;

D. The Agreement does not prohibit Supra from challenging any BellSouth promotional tariffs which are not identical to those promotional tariffs that were challenged in Docket No. 404353-TP;

E. Supra's claim that BellSouth's promotional tariffs and discounted offerings should be made available to Supra for resale is not barred by the Agreement.

ORDERED in the Southern District of Florida, this 18th day of July 2005.



ROBERT A. MARK
Chief Judge, United States Bankruptcy Court

Copies to:
Steven B. Chaiken, Esq.
(Attorney Chaiken is directed to mail a copy of this order to all interested parties immediately upon receipt.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Supra Telecommunications)
and Information Systems, Inc. to Review)
BellSouth Promotional Tariffs.)
_____)

Docket No. 050387-TP
Filed: July 21, 2005

**FIRST AMENDED PETITION OF SUPRA
TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.,
TO REVIEW BELL SOUTH PROMOTIONAL TARIFFS**

Supra Telecommunications and Information Systems, Inc. ("Supra"), by and through its undersigned counsel, hereby files this First Amended Petition with the Florida Public Service Commission ("Commission") pursuant to Florida Statutes §§364.01, 364.08, 365.051, 364.059 and 364.285, and requests that this Commission immediately review and suspend specific promotional tariff offerings of BellSouth Telecommunications Inc., ("BellSouth") which offer monetary inducements to customers (including cash back) that amount to several months of telephone service below cost, in violation of the Florida Statutes. Upon this Commission's review of BellSouth's tariffed offerings, Supra requests this Commission issue an order canceling BellSouth's offerings or requiring that BellSouth allow Supra to receive the same monetary inducements from BellSouth when Supra resells the identical service offerings which qualify for the promotional benefits,¹ and for such other relief that the Commission deems appropriate. In support thereof, Supra states as follows:

¹ Supra suggests that this Docket provides the Commission an opportunity to comply with Florida Statutes §364.059(2) and 364.3381(3) and thereby establish a rule adoption proceeding to create an objective benchmark, such as a price or cost floor, by which the Commission may determine whether a requested stay of a basic local telecommunications service price reduction is warranted.



1. Supra is a competitive local exchange carrier ("CLEC") certificated by the Commission to provide telecommunications services within the State of Florida. Petitioner's name, address and telephone number is as follows:

Supra Telecommunications and Information Systems, Inc.
2901 S.W. 149th Avenue, Suite 300,
Miramar, Florida 33027
(786) 455-4200

2. The Petitioner's representative's name, address and telephone number is:

Brian Chaiken, Esq.
Legal Department
Supra Telecommunications and Information Systems, Inc.
2901 S.W. 149th Avenue, Suite 300,
Miramar, Florida 33027
(786) 455-4248
Facsimile: (786) 455-4600

3. BellSouth is a corporation organized and formed under the laws of the state of Georgia, with its principal office at 675 West Peachtree Street, Atlanta, Georgia, 30375. BellSouth is an Incumbent Local Exchange Carrier ("ILEC") certificated by this Commission to provide local exchange telecommunications services in the state of Florida. BellSouth's address in the State of Florida for service of process is:

Nancy B. White, General Counsel
c/o Nancy H. Sims, Director of Regulatory Affairs
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301

BACKGROUND

4. BellSouth is the dominant provider of local telecommunications service in the state of Florida. According to this Commission's December 2004 Annual Report On Competition,

BellSouth's market share for local voice telephone service has risen to approximately 5.4 million access lines (as proffered by BellSouth as of June 30, 2004). Even by conservative estimates, BellSouth is by far the single most dominant provider of local telephone service in the state of Florida.

5. BellSouth has abused its power as the dominant provider of telecommunications services by using monetary inducement promotional strategies and anticompetitive pricing programs to exclusively target customers that have switched to CLECs. BellSouth has used, and is aggressively continuing to use, its dominant market status to frustrate competition in the local voice market, thereby causing substantial and irreparable harm to Florida's CLECs and ultimately Florida's consumers.

6. In its current campaigns, BellSouth has embarked on a wave of "monetary inducement" promotional offerings. (**Composite Exhibits A-F**)² Each of these promotional campaigns have at least three factors in common: (1) they exclusively target residential customers that have migrated to a CLEC; (2) the reacquired customers must have new service connected at the same address (and in some cases, using the same name); and (3) they offer some form of a monetary inducement to the returning customer (i.e. \$100.00), thereby discounting the price of BellSouth's associated offerings, without allowing a CLEC to resell and take advantage of the discounted price.

² Current BellSouth "monetary inducement" promotional offerings: **Exhibit A**, Tariff Filing No. T-05-0187, Effective from March 24, 2005 through December 31, 2005; **Exhibit B**, Tariff Filing No. T-04-1265, Effective from May 15, 2005 through December 31, 2005; **Exhibit C**, Tariff Filing No. T-04-1264, Effective from July 15, 2005 through December 31, 2005; **Exhibit D**, Tariff Filing No. T-05-0028, Effective from February 1, 2005 through December 31, 2005; **Exhibit E**, Tariff Filing No. T-04-1292, Effective from January 9, 2005 through December 31, 2005; **Exhibit F**, Tariff Filing No. T-04-0123, Effective from February 12, 2004.

7. Like BellSouth's previous winback tariffs (See Complaint of FDN against BellSouth in Docket No. 020119-TP and the Complaint of Arrow Communications against BellSouth in Docket No. 990043-TP), these promotional campaigns contain many of the same problems that have previously been found unacceptable by this Commission. BellSouth's current offerings violate both Section 364.051(5)(c) and 364.3381 of the Florida Statutes, which require BellSouth to price its services above direct cost. Further compounding the extent of the anticompetitive nature of these low-ball offerings, BellSouth refuses to allow Supra (and most likely all CLECs) to resell these promotional offerings (inclusive of the monetary inducements) in violation of 47 USCA § 251(c)(4), thereby ensuring that Supra is unable to match the severely discounted services being offered by BellSouth.

FACTUAL ALLEGATIONS

The BellSouth Base Product Offerings

8. BellSouth offers its various monetary inducement promotions in connection with two of its base offerings: Complete Choice and Preferred Pack service plans.

(1) The Complete Choice³ service plan includes the following:

- A flat rate access line w/ Touch Tone capability
- Free Unlimited Local Calling
- Unlimited use of most prominent features
- RingMaster Service

³ BellSouth's Complete Choice Service, Section A3.4.3; General Subscriber Service Tariff, Thirteenth Revised Page 24, Effective: February 15, 2005 (See Exhibit G).

BellSouth charges its retail end-users \$30.00 for an individual Complete Choice line. In addition, BellSouth charges \$6.50 for its End User Common Line Charge, for total revenue of \$36.50.

(2) The Preferred Pack⁴ service plan includes the following:

- A flat rate per access line with Touch-Tone capability;
- Unlimited use of these popular features: Call Waiting Deluxe, Three way calling, Call Forwarding Don't Answer
- Caller ID-Deluxe
- Voicemail Companion Services Package at no additional charge when Voicemail/Memory Call service is requested (Call forwarding busy line, Call Forwarding Don't Answer-Ring Control, Star 98 and MWI)
- Privacy Director

BellSouth charges its retail end-users \$26.95 for an individual Preferred Pack line. In addition, BellSouth charges \$6.50 for its End User Common Line Charge, for total revenue of \$33.45.

9. By way of comparison, in order for Supra to replicate BellSouth's Preferred Pack Plan, the total recurring, and average usage and non-recurring costs⁵, together with a statewide weighted average loop cost calculated based upon the actual distribution of all Supra UNE-P customers, totals \$28.14 at FPSC-ordered TELRIC rates. Of course, as the FCC has recently determined that BellSouth need not offer mass market switching under Section 251 of the

⁴ BellSouth's Complete Choice Service, Section A3.4.6; General Subscriber Service Tariff, Second Revised Page 26.1, Effective: January 9, 2004 (See Exhibit H).

⁵ For services billed as UNE-P, retail, resale as available.

Telecommunications Act, these prices have already gone up. Absent Commission intervention forcing BellSouth to comply with its obligations under Section 271 of the Telecom Act, and based on BellSouth's most recent commercial offerings, the prices for local switching alone will go up by as much as \$7.00 on a recurring basis, and by as much as \$13.00 on a non-recurring basis. This means Supra's direct cost of goods sold to provide identical services is \$35.14, for a product that BellSouth makes available to its end-users at \$33.45.

The BellSouth Promotional Offerings

10. BellSouth now has several categories of promotional tariff offerings, used both individually and in combination, to provide discounts to its base service offerings. These categories include:

- Cash Back promotions,
- Gift Cards promotions,
- Coupons promotions, and
- Discounted Service promotions.

BellSouth uses these categories in different combinations, and, often, allows combinations designed to increase the discounts offered only to CLEC customers on the underlying base service offerings.

11. The Cash Back promotional offering category:

The Cash Back promotional offerings category includes the \$100 Cash Back or \$100 Visa Gift Card (**Exhibit A**), which is in effect from March 24, 2005 through December 31, 2005 (collectively referred to as "\$100 CASH" tariffs). A CLEC customer that purchases Complete

Choice Family Plan or PreferredPack Plan is eligible to receive \$100.00 for switching back to BellSouth.

12. The Gift Cards promotional offering category:

The Gift Cards promotional offering category includes the Shoppers Cash Back (\$50 Cash Back or up to \$50 in merchandise) for Complete Choice or PreferredPack Plans (**Exhibit B**), which is in effect from May 15, 2005 through December 31, 2005, and the Single Family Dwellings (SFD) Gift Card Offer (includes a coupon for a gift card valued at \$50) (**Exhibit C**), which is in effect from July 15, 2005 through December 31, 2005 (collectively referred to as "GIFT CARD" tariffs).

13. The Coupons promotional offering category:

The Coupons promotional offering category includes the BellSouth Reacquisition 1FR Offer, (**Exhibit D**), which is in effect from February 1, 2005 through December 31, 2005. This promotional offering includes a Basic Line service, two features and a long distance plan from BellSouth Long Distance. Eligible customers who subscribe to a long distance plan will receive a coupon redeemable for up to \$50.00 cash back. (hereinafter referred to as "BELLSOUTH 1FR" Tariff).

14. The Discounted Service promotional offering category:

The Discounted Service promotional offering category includes the \$5 monthly discount from BellSouth's local service offering (**Exhibit E**), which is in effect from January 9, 2005 through December 31, 2005 (hereinafter referred to as "\$5 DISCOUNT" Tariff).⁶

⁶ With this offering, the CLEC customer must either subscribe to the Complete Choice Plan or the PreferredPack Plan, and also must subscribe to the BellSouth Long Distance Service Plan for \$1.00 a month (**Exhibit F**).

15. Most of these promotional offerings state "the offer may be combined with other promotional offers for the same service."⁷ Today, prospective customers could realize monetary inducements in excess of \$105.00 by combining these BellSouth's promotions (i.e. \$100.00 cash back, plus \$5.00 discount off the base service plan).

16. BellSouth's combination of these promotions with its current pricing of \$30.00 for Complete Choice and \$26.95 for Preferred Pack has the effect of ensuring that BellSouth does not recover its costs for providing telephone service to the consumer unless the consumer stays with BellSouth in excess of thirty (30) months. These promotions are violative of §§364.08, 364.051(5)(c) and 364.3381 Florida Statutes as they are priced below cost and therefore tantamount to BellSouth giving away free telecommunications service to a given class of customers (i.e. CLEC customers).

The Law

17. Florida Statutes Chapter 364.01(4)(i) provides that the Commission shall "Continue its historical role as a surrogate for competition for monopoly services provided by local exchange telecommunications companies." (Emphasis added). The FPSC has been empowered to put together the necessary climate that will foster local competition in the telecommunications marketplace in Florida. By any measuring device imaginable, BellSouth is still the dominant provider of local telecommunications services in the state of Florida, particularly in the residential marketplace. Therefore, it is imperative that this Commission address the substantial

⁷ See Exhibits A-E.

efforts that BellSouth has taken to under-cut competitive rates in the Florida residential telecommunications market. Florida Statute Section 364.3381 provides, in pertinent part:

(1) The price of a nonbasic telecommunications service provided by a local exchange telecommunications company shall not be below its cost by use of subsidization from rates paid by customers of basic services. . . .

(3) The commission shall have continuing oversight jurisdiction over cross-subsidization, predatory pricing, or other similar anticompetitive behavior and may investigate, upon complaint or on its own motion, allegations of such practices.

Furthermore, Section 364.059(1)(a) Florida Statutes, provides:

Any petition filed by a substantially interested party against a local exchange telecommunications company seeking a stay of the effective date of a price reduction for a basic local telecommunications service, alleging an anticompetitive price reduction pursuant to s. 364.051(5), s. 364.08, s. 364.09, s. 364.10, or s. 364.3381, shall be resolved by the commission pursuant to this section and by an order issued within 45 days after the date the petition is filed.

The Commission has Jurisdiction to Prevent Anti-Competitive Offerings pursuant to Florida Statutes § Section 364.01

18. Recognizing BellSouth's historically embedded advantage as the dominant provider of local telecommunications services, the Florida legislature has tried to create a level playing field by passing laws preventing BellSouth from abusing its market power and giving CLECs an opportunity to compete in the local telecommunications market. Section 364.3381(3) prohibits BellSouth from any type of marketing or pricing that could be deemed anti-competitive.⁸

⁸ Specifically, Section 364.3381(3) reads "The commission shall have continuing oversight jurisdiction over cross-subsidization, predatory pricing, or other similar anticompetitive behavior and may investigate, upon complaint or on its own motion, allegations of such practices." (Emphasis added).

Specifically, section 364.01(4)(g) states that the Commission shall exercise its exclusive jurisdiction in order to:

ensure that all providers of telecommunications services are treated fairly, by preventing anticompetitive behavior and eliminating unnecessary regulatory restraint.

BellSouth's promotional tariffs are anticompetitive offerings which are causing irreparable financial and economic harm to its CLEC competitors.

19. In Docket No. 990043-TP (Petition to review and cancel BellSouth Telecommunications, Inc.'s promotional tariff (T-98-1783) by Arrow Communications), (*Arrow Docket*) the Commission voted to suspend BellSouth's tariff pending resolution of the petition. The Commission found (as noted on its February 2, 1999 Vote Sheet) that Arrow's Petition demonstrates that the alleged anticompetitive or discriminatory effect of the tariff will cause significant harm that cannot be adequately redressed if the tariff is ultimately determined to be invalid. Such harm includes financial or economic harm to competing telecommunications providers.

20. Furthermore, BellSouth has repeatedly argued that this Commission's TELRIC UNE pricing has compelled BellSouth to sell its services to CLECs below cost. The packaging of these promotions demonstrates that one of two scenarios must be true: either (1) BellSouth's arguments regarding TELRIC UNE pricing being below cost are untrue or (2) BellSouth's residential service as offered is below cost and therefore anti-competitive.

21. True competitive service offerings are priced above cost and are sustainable over a long period of time. Services that are sold below cost are intended to unfairly steal market share and harm competitors. Inasmuch as BellSouth has not provided any evidence regarding how it will,

at a minimum, break even on its local service offerings with the promotional tariffs, BellSouth's true intent in offering its promotional tariffs is not to offer a great plan to Florida consumers, but rather to thwart competition in the local telecommunications market and return BellSouth's dominant market position to its previous monopoly status. Because of BellSouth's large local market share and revenue base, it has the financial wherewithal to withstand any short-term revenue losses on these customers. Once BellSouth is successful in driving CLEC competitors out of the local market through its anticompetitive pricing, BellSouth can then raise the rates of its local services to recoup its losses.

22. Supra and other CLECs are suffering irreparable competitive harm caused by BellSouth's promotional tariffs. These promotional tariffs, when combined with the low prices BellSouth offers on its base products (Complete Choice and Preferred Pack) do not cover BellSouth's direct relevant cost and are anticompetitive.

23. As noted in Arrow v. BellSouth and in FDN v. BellSouth, CLECs, such as Supra, compete with BellSouth largely on the basis of price. BellSouth's promotional tariffs offer select (i.e. CLEC) customers a combination of monetary inducements that are priced to undercut the prices Supra can profitably offer a customer.⁹ Florida CLECs cannot compete with BellSouth's monetary inducements (approximately \$105.00) targeted exclusively to CLEC customers.

24. The Commission needs to review the cost basis for the promotional tariffs. and should halt (at least temporarily) any pricing conduct that is below cost or that appears anticompetitive. BellSouth's promotional tariffs undercut the prices Supra is able to offer and still remain profitable, and Supra has already and will continue to lose market share due to BellSouth's anti-

competitive offerings. The harm that Supra has suffered and will continue to suffer from BellSouth's promotional tariffs cannot be undone. That harm has been constant, frequent, and continuous in character. More troubling is the fact that BellSouth's promotional tariffs directly harm Florida's consumers. As competitors are eliminated as a result of these BellSouth's promotional tariffs, consumers will have fewer competitive choices. As consumers have fewer competitive choices, prices will rise.

25. BellSouth would not be unduly prejudiced by suspension or postponement of its promotional tariffs in question. In balancing the interests of BellSouth, Supra and all CLECs, the irreparable harm Supra and all other CLECs will suffer clearly outweighs any possible disadvantage to BellSouth from delayed implementation of the monetary inducement promotional tariffs described above.

**BellSouth Sells Services Below its Direct Costs in
Violation of Florida Statutes § 364.3381, and 364.051**

26. BellSouth's promotional tariffs, combined with its Complete Choice and Preferred Pack service offerings, are violative of §364.3381, Florida Statutes, which provides, in pertinent part:

(1) The price of a nonbasic telecommunications service provided by a local exchange telecommunications company shall not be below its cost by use of subsidization from rates paid by customers of basic services.

(2) A local exchange telecommunications company which offers both basic and nonbasic telecommunications services shall establish prices for such services that ensure that nonbasic telecommunications services are not subsidized by basic telecommunications services. The cost standard for determining cross-subsidization is whether the total revenue from a nonbasic service is less than the

⁹ This is especially so in light of BellSouth's actions in response to recent regulatory decisions limiting CLECs' access to various Section 251 UNEs.

total long-run incremental cost of the service. Total long-run incremental cost means service-specific volume and nonvolume sensitive costs.

Furthermore, §364.051(5)(c), Florida Statutes, provides that the “price charged to a consumer for a non-basic service shall cover the direct costs of providing the service . . .”

27. In the aggregate, the total monetary inducement to the customer is approximately \$145.88, and has the potential to be even greater.¹⁰

28. BellSouth's currently tariffed retail rates for the PreferredPack and Complete Choice Plans for a single residence line are \$26.95 and \$30.00 monthly, respectively. At these rates, combined with the various promotions, a prospective customer would have to stay with BellSouth for at least 30 months before BellSouth begins to generate any net revenue from the former CLEC customer. Significantly, BellSouth's promotional offerings do not require eligible customers to stay with BellSouth for such a long period of time.

29. Tellingly, BellSouth's monetary inducement promotional tariffs combined with the already low price of the underlying base products, undercut the very same costs of provisioning the same services and/or elements to Supra.

30. This Commission has stated the following: “Section 364.051(5)(c), Florida Statutes, examines direct costs, and we believe an examination of direct cost is needed to make a determination of whether the post-discounted rates offered . . . remain “compensatory” for BellSouth.” See Order No. PSC-03-0726-FOF-TP, at 21. “If a determination revealed that the

¹⁰ Both the \$100 and the \$100 Visa Card promotional offerings provide that the “offer may be combined with cash back offers or other promotional offers on the same services, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of the promotion with other promotions, at the Company's sole discretion.” (See **Exhibit A**).

(sic) such rates were “non-compensatory,” such a finding would sway us to conclude that the tariff offerings are unfair, anticompetitive, or discriminatory.” Id. at 22.

BellSouth Refuses to Allow Supra to Resell its Promotions in Violation of 47 USCA §251

31. The Telecommunications Act of 1996 (“TA 96”), §251(c)(4) and FCC Rules (47 C.F.R. §51.601 through 51.620) outline BellSouth’s obligations with respect to making its promotional and discounted offerings available for resale. Sections 47 USC §251(c)(4) of TA 96 provide that the incumbent LECs are:

(A) to offer for resale at wholesale rates any telecommunications service that the carrier provides at retail to subscribers who are not telecommunications carrier; and

(B) not to prohibit, and to impose unreasonable or discriminatory conditions or limitations on, the resale of such telecommunications services, ...

Specifically, in FCC 96-325, the FCC concluded that:

Section 251(c)(4) provides that incumbent LECs must offer for resale at wholesale rates “any telecommunications service” that the carriers provides at retail to noncarrier subscribers. This language makes no exception for promotional or discounted offerings, including contract and other customer-specific offerings. We therefore conclude that no basis exists for creating a general exemption from the wholesale requirement for all promotional or discount service offerings made by incumbent LECs. A contrary result would permit incumbent LECs to avoid the statutory resale obligation by shifting their customers to nonstandard offerings, thereby eviscerating the resale provisions of the 1996 Act. (FCC 96-325, ¶948) (Emphasis added.)

32. It is undisputed that BellSouth has an obligation to make available for resale its promotional and discounted offerings that run for more than 90 days. Nevertheless, BellSouth refuses to make the promotions listed herein available to Supra for resale.

33. Resale is one of the entry strategies that Congress envisioned as a viable method through which CLECs could gain entry into the monopoly local telecommunications marketplace hence, the TA 96 requires that BellSouth shall not prohibit or impose unreasonable or discriminatory conditions or limitations on the resale of such promotional offerings whereby CLECs' ability to resale such monopoly telecommunications services are impacted.

34. The FCC re-emphasized the importance of resale as a method of entry when it promulgated Rules 51.601 through 51.0617: Resale obligation of all local exchange carriers. In FCC 96-325, concluded that

Promotional offerings greater than 90 days in duration must be offered for resale at wholesale rates pursuant to section 251(c)(4)(A). . . . In addition, an incumbent LEC may not use promotional offerings to evade the wholesale obligation, . . . (FCC 96-325, ¶950) (Emphasis added.)

In § 51.613(2) (ii), the FCC mandated that ILECs avail promotions that provide discounted rates when:

The incumbent LEC does not use such promotional offerings to evade the wholesale rate obligation, for example by making available a sequential series of 90-day promotional rates.

Nowhere in any of these provisions does there exist an exception allowing an ILEC to prevent or restrict monetary inducements from being available for resale. To the contrary, the FCC expressed that "*We are concerned that conditions that attach to promotions and discounts could be used to avoid the resale obligation to the detriment of competition.*"¹¹

¹¹ FCC 96-325, ¶952.

35. In light of the fact that one of the three methods of providing telecommunications services (i.e. via unbundled network elements under Section 251 of the Act) is now gone, the resale method of providing service is now more important to CLECs than ever.

36. It is because of these provisions (and BellSouth's effort to obviate such) that the North Carolina Utilities Commission has enacted rules (Docket No. P-100, SUB 72b, Order issued on December 22, 2004) (See **Exhibit J**) that are intended to govern BellSouth's promotional tariff offerings in the State of North Carolina. The Indiana Utility Regulatory Commission is undertaking a similar effort in Case No. 42530.

37. BellSouth designed the referenced promotions with the simple goal of by-passing regulatory requirements that otherwise prohibit BellSouth from offering such "effective price" discounts to CLEC customers. The rationale is simple: while a direct price reduction to the effective tariff rate would impact the wholesale discount rate, a cash rebate and/or other traditional marketing tactics might pass approval without stringent scrutiny and therefore could be utilized to obviate a Commission finding that such approaches are tantamount to discounting of the effective tariff rate of the service(s) being offered. This is the same conclusion that the North Carolina Utilities Commission reached when it ruled that:

The FCC clearly stated that any other conclusion would allow ILECs routinely to create promotions or nonstandard offerings just to avoid their resale obligation. The FCC was concerned that ILEC promotions could become de facto standard offerings that would not be made available to resellers and would therefore undercut the duty to resell retail services to resellers at wholesale rates.¹²

¹² North Carolina Order, Docket No. P-100, SUB 72b, at 9.

38. The reality is that BellSouth's promotions provide economic value to customers. This is the conclusion reached by the North Carolina Utilities Commission:

The Commission is persuaded that anything of economic value paid, given, or offered to a customer to promote or induce purchase of a bundled service offering of both regulated and nonregulated telecommunications services is a promotional discount.¹³

The North Carolina Utilities Commission further ruled that:

The customer does not receive this savings or value unless he purchases the specified bundle associated with the promotion. Thus, because the savings or benefit is received only in exchange for the purchase of the bundle, the bundle is in effect discounted to the customer by the amount of the monetary benefit or thing of value provided in return.¹⁴

39. Even if not used to directly pay off BellSouth's telecommunications bills, the reality is that the monetary savings resulting from these inducements effectively off-sets other monetary obligation(s) of the end-users. Again, this is the same conclusion that the North Carolina Commission reached when it stated, "while these promotions do provide a savings and therefore a type of discount to subscribers, they do not in fact lower the charge to the subscribers for the regulated services purchased...", and "the promotion reduces the subscriber's cost for the service by the value received in the form of a gift card or other giveaway."¹⁵

40. Therefore, these promotional inducements should be construed to be direct telecommunications services as per Chapter 364.02(12)¹⁶ or at a minimum, derivative telecommunications services. This Commission reached a similar conclusion when it found that

¹³ Id., at pg. 3.

¹⁴ North Carolina Order, at 3.

¹⁵ North Carolina Order at 12, and 11.

BellSouth's Late Payment Charge was a telecommunications "service" in Order No. PSC-01-1769-FOF-TL, Docket No. 000733-TL.¹⁷ These inducements can indeed be characterized as derivative telecommunications services following their importance and inclusion as integral parts of BellSouth's marketing scheme, not because they have a transmission capacity in and of themselves, but simply because BellSouth relies on these inducements to build, enhance, and sustain its market share.

WHEREFORE, Supra respectfully requests that this Commission:

- (1) Review and cancel BellSouth's promotional inducement tariffs immediately or, in the alternative, order BellSouth to allow Supra to collect on these inducements when it resells these same underlying services;
- (2) Alternatively, grant Supra a hearing within 45 days pursuant to Section 364.059(1)(a) Florida Statutes; and
- (3) Initiate an investigation of BellSouth's promotional pricing and marketing practices; and
- (4) Grant such other relief as deemed appropriate.

¹⁶ "Service" is to be construed in its broadest and most inclusive sense.

¹⁷ We find that BellSouth's interest charge is a "service" that BellSouth renders to its delinquent telecommunications customers. We believe that **through the use of its interest charge**, BellSouth is able to keep these delinquent customers as telecommunications subscribers. The alternative is for BellSouth to terminate the accounts of all delinquent customers. We find that the interest charge is a "service" BellSouth renders its delinquent customers for carrying their unpaid balances. In turn, BellSouth uses the realized revenues to offset the loss of use of the unpaid monies. Order No. PSC-01-1769-FOF-TL, Issued: August 30, 2001 in Docket No. 000733-TL (pages 9 and 10) (Emphasis added.)

**Supra's First Amended Petition Seeking
Review of BellSouth's Promotional Tariffs**

Respectfully submitted this 21st day of July 2005.

SUPRA TELECOMMUNICATIONS
AND INFORMATION SYSTEMS, INC.
2901 S.W. 149th Avenue, Suite 300,
Miramar, Florida 33027
Telephone: (786) 455-4248
Facsimile: (786) 455-4600

By: 

BRIAN CHAIKEN
STEVEN CHAIKEN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was delivered by U.S. Mail to the persons listed below this 21st day of July 2005.

Ms. Nancy White
c/o Nancy Sims
BellSouth Telecommunications, Inc.
150 S. Monroe Street
Suite 400
Tallahassee, FL 32301

Ms. Beth Keating
Legal Division
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

James Meza
BellSouth Telecommunications, Inc.
675 West Peachtree Street, N.W.
Suite 4300
Atlanta, GA 30375

By: _____
STEVEN CHAIKEN

BellSouth Telecommunications, Inc.
150 South Monroe Street
Suite 400
Tallahassee, Florida 32301

marshall.criser@bellsouth.net

Marshall M. Criser III
Vice President
Regulatory & External Affairs

(850) 224-7796
Fax (850) 224-8677

March 9, 2005

Beth Salak, Director
Competitive Markets and Enforcement
Attn: Tariff Section
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Dear Ms. Salak:

Pursuant to Florida Statute 364.051, we are filing revisions to our General Subscriber Service Tariff. Attached for filing with the Commission are the following tariff pages.

General Subscriber Service Tariff

- Section A2 - Second Revised Page 32.1
- Second Revised Page 32.2
- Twenty Seventh Revised Page 33
- Third Revised Page 35.6.8
- Second Revised Page 35.6.9

These revisions add a gift card option to the \$100 Cash Back Offer. Attachment A contains an Executive Summary of the program.

Acknowledgment, date of receipt and authority number of this filing are requested.

Yours very truly,



Regulatory Vice President

Attachments

EXHIBIT A

Promotion Description

\$100 Cash Back or Gift Card Offer

Overview

The \$100 Cash Back Offer promotion began on December 27, 2004, and is scheduled to end on December 26, 2005. That promotion will be terminated early on March 23, 2005, and will be replaced by the \$100 Cash Back or Gift Card Offer. The \$100 Cash Back or Gift Card Offer promotion is scheduled to begin on March 24, 2005, and end on December 31, 2005. Services included in this promotion are:

- BellSouth® Complete Choice® plan (single or multiple lines)
- BellSouth® Area Plus® with Complete Choice® plan (single or multiple lines)
- BellSouth® PreferredPack® plan

Promotion Specifics

Customers returning to BellSouth and purchasing a qualifying local service product will be eligible to receive either \$100 cash back or a \$100 Visa® gift card.

Restrictions/Eligibility Requirements

- Customer must have at least one wire line local service or equivalent (wireless in lieu of wire line) with a provider other than BellSouth at a local service address within BellSouth territory. A new service qualifying for this promotion must be provisioned as a replacement for the existing wire line or equivalent service.
- Customer must request the qualifying service at the same address and in the same name as the existing service, unless customer is planning an imminent move from one address in BellSouth territory to another address in BellSouth territory within 30 days of responding to the offer. In the case of an imminent move, BellSouth can offer the customer the promotion and place the order at the new address.
- Customer must have not had local service with BellSouth for at least ten (10) days prior to the new service connection date to be eligible.
- Customer must switch their local service to BellSouth and purchase any one of the following: Complete Choice plan, Complete Choice Two-Line Plan package, Complete Choice Three-Line Plan package, Area Plus with Complete Choice plan, Area Plus with Complete Choice Two-Line Plan package, Area Plus with Complete Choice Three-Line Plan package, or PreferredPack plan.
- Customer must place the order on or before December 31, 2005.
- Offer valid for only one (1) service line per local service address.
- Customer must place the order through a BellSouth business office or outbound telemarketing vendor or alternate channel.
- Customer must complete and mail a rebate coupon to a specified address by the date specified on the coupon in order to receive either the \$100 cash back or gift card.
- After customer completes the above requirements, he/she will receive either the \$100 cash back or gift card. If customer cancels or discontinues the qualifying service prior to fulfillment, he/she will be ineligible for the cash back or gift card offer.
- BellSouth reserves the right to discontinue or modify this promotion at any time without customer notice.
- Customer must have the eligible services on their new service (N) order to receive the promotional offer.
- Customer may not receive both the \$100 cash back and the \$100 gift card. If customer does not specify which reward he/she prefers, customer will receive the \$100 cash back.
- Offer may be combined with cash back offers or other promotional offers on the same services, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of this promotion with any other promotion, at the Company's sole discretion.

All BellSouth marks contained herein are owned by BellSouth Intellectual Property Corporation.
Visa is a registered trademark of Visa International Service Association.

ISSUED: December 16, 2004 March 1, 2005
BY: Joseph R. Fischer, President -FL
Miami, Florida

EFFECTIVE: December 16, 2004 March 14, 2005

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are as filed with the Commission: (Cont'd)

| Area of Promotion | Service | Charges/Waiver | Period Authority | |
|--|------------------------------------|---|----------------------|-------|
| BellSouth's Service Territory - From Central Office when services are available. | \$100 Cash Back or Gift Card Offer | — \$100 cash back will be given to customers returning to BellSouth and purchasing a BellSouth Complete Choice family plan or BellSouth PreferredTwo plan <u>or</u> to receive \$100 cash back or a \$100 Visa® gift card. | 12/24/04 to 12/24/05 | (C) |
| | | <u>Restrictions and Eligibility Criteria:</u> | | (C) |
| | | — Customer must either not currently have local service with BellSouth or not have service with BellSouth on one or more of their existing lines, including the line on which the service qualifying for this promotion will be provisioned. | | (C) |
| | | — Customer must have local service or equivalent service in lieu of wire-line at the same local service address on one or more of their existing lines. | | |
| | | — Customer must request service at the same address and in the same name, unless customer is planning an immediate move from one address in BellSouth territory to another address in BellSouth territory, within thirty (30) days of responding to the offer. In the case of an immediate move, the BellSouth rep can offer the customer the promotion and place the order at the new address. | | |
| | | — Customer must have not had local service with BellSouth at least ten (10) days prior to the new service connection date to be eligible. | | |
| | | — The customer must switch their local service to BellSouth and purchase any one of the following: Complete Choice plan, Complete Choice Two-Line Plan package, Complete Choice Three-Line Plan package, Area Plan with Complete Choice plan, Area Plan with Complete Choice Three-Line Plan package, Area Plan with Complete Choice Three-Line Plan package, or PreferredTwo plan. | | (MGT) |
| | | — Customer must have the eligible services on their new service order (N) in order to receive the promotional offer. | | |
| | | — Offer valid for only one (1) service line in the intended local service address. | | |
| | | — BellSouth reserves the right to discontinue or modify this promotion at any time without customer notice. | | |
| | | — The customer must place the order (in or before 12/24/05) | | (C) |
| | | — The customer must place their order through a BellSouth business office or outbound telemarketing number or alternate channel as indicated. | | (C) |
| | | — The customer must fill out a coupon and mail the coupon to a specified address by a qualified date in order to receive the \$100 cash back <u>or</u> gift card. | | (C) |
| | | — Once the customer completes the above requirements they will receive the \$100 cash back <u>or</u> gift card. If the customer cancels or discontinues the qualifying service prior to fulfillment, he will be ineligible for the cash back/gift offer. | | (C) |

Markings appearing on this tariff document are subject to Section 22.2 of the schedule.

All BellSouth marks contained herein and all other marks and service marks within this tariff are owned by BellSouth Intellectual Property Corporation.
Visa is a registered trademark of Visa International Service Association.

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

4. The following promotions are approved by the Commission (Cont'd)

| Area of Promotion | Service | Changes Waived | Period | (D) |
|--|--|--|----------------------------|-----------|
| DELETED BellSouth's service terminates from control offices where services are available | Shoppers Cash Back for Complete Choice plans, PreferredPack plan, flat rate lines | New or existing residential customers who contact BellSouth and request information on local service or bundle prices for comparison with competitive offers and indicate a willingness to place an order during the call will be offered a coupon redeemable for up to \$50 Cash Back or up to \$50 in merchandise as an incentive to place the sale. Existing residential customers who contact BellSouth to downgrade or disconnect their service will be offered a coupon redeemable for up to \$50 Cash Back or up to \$50 in merchandise if they agree to extend their service at a level that satisfies the criteria specified following. Restrictions and Eligibility Criteria: - This Cash Back offer is limited to residence customers subscribing to or ordering one of the following services: a. the PreferredPack plan, b. any of the Complete Choice plans, or c. flat rate individual line service with at least one vertical feature and at least one of the following services: a BellSouth Long Distance plan, a BellSouth Internet access plan, or a Complete wireless plan. - Customer must have the eligible services on their new service order (N) or must maintain their current services on their existing service to receive a redeemable coupon. - A new customer must place a qualifying order on or before 12/31/05. - Offer valid for only one (1) service line at the qualifying local service address. - The customer must fill out a coupon and mail the coupon to a specified address by a specified date to receive up to \$50 cash back or merchandise. - If the customer cancels or discontinues the qualifying service prior to fulfillment, they will be ineligible for the cash back or merchandise offer. - This offer may be combined with other cash back or promotional offers on the same services, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of this promotion with any other promotion at the Company's sole discretion. - This offer cannot be combined with merchandise, \$100 Cash Back, or <u>G20 Card</u> offers, \$25 Gift Card offers, or offers that waive activation fees. - BellSouth reserves the right to discontinue or modify this promotion at any time without customer notice. | 05/15/04 to 12/31/05 | (D) 40 |

© BellSouth retains copyright herein and its use herein is the proprietary and service mark of BellSouth Intellectual Property Corporation.

BELLSOUTH
 TELECOMMUNICATIONS, INC.
 FLORIDA
 (SUSPENDED December 14, 2004 March 9, 2005)
 BY: Joseph P. Lashier, President -FL,
 Miami, Florida

GENERAL REGISTRATION SERVICE TARIFF

Revised Third Revised Page 15.63
 Cancelled Form Separated Revised Page 15.63

EFFECTIVE: ~~December 14, 2004~~ March 14, 2005

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are on file with the Commission: (Cont'd)

| Area of Promotion | Service | Description | Period | Authority |
|---|------------------------------|---|---------------------------|-----------|
| BellSouth's Service Territory - From Central Offices where service is provided. | USPS Target® Gift Card Offer | BellSouth USPS Target® Gift Card Offer is available for customers ordering or transferring services with BellSouth. Customers will be advised to place their BellSouth order via a website. Customers purchasing BellSouth service (N or T order) via an online ordering system will receive a Target® Gift Card valued at twenty-five dollars (\$25.00). | 10/28/04 10 4/30/05 | (C) |
| Rules And Regulations | | | | |
| -Orders must be placed via an online tool (listed in callcenter). | | | | |
| -Orders placed via eStore or the Consumer Large Town will not be eligible for this offer. | | | | |
| -Orders must be placed on or by April 30, 2005. | | | | |
| -Offer is limited to one (1) eligible line per customer. | | | | |
| -Offer may not be combined with Reacquisition \$100 Cash Back or Gift Card offer or the Reacquisition \$25 VISA Gift Card or Reacquisition \$25 VISA® Gift Card or \$50 Skippers Cash Back or Service Connections Waiver. | | | | |
| -BellSouth reserves the right to modify this promotion at any time following any relevant Commission action. | | | | |

All BellSouth marks contained herein and as set forth in the trademarks and service marks section of this Tariff are owned by BellSouth Intellectual Property Corporation.
 Target® is registered trademark of Target Retailer Group.
 Visa is registered trademark of Visa International Service Association.

BELL SOUTH
TELECOMMUNICATIONS INC.
FLORIDA
INS(PI) December 15, 2004 March 5, 2005
BY: Joseph P. Lacher, President-FL
Miami, Florida

CENTRAL FLORIDA RIVER SERVICE CENTER

First Second Revised Page 15.6.5
Caption Original First Revised Page 15.6.5
EFFECTIVE: January 4 - March 24, 2005

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are on file with the Commission: (Cont'd)

| Area of Promotion | Service | Change Wanted | Period Authority |
|---|---------------------|---|----------------------|
| BellSouth's Service Territory From Central Office where service are available | SFD Gift Card Offer | Customers moving into completed, newly constructed SFDs (Single Family Dwellings) will receive collateral that will include a coupon redeemable for a gift card valued at fifty-dollar (\$50.00). The gift card will not be redeemable for cash. Rules and Regulations: -Offer begins July 15, 2004 and ends December 31, 2005 -Customers receive collateral from the SFD sales offices with instructions to place their order via an online tool or to a 800 number to BellSouth. -To redeem the coupon, the customer must first establish service with BellSouth via online ordering tool or designated 800 number or by contacting a BellSouth representative in a BellSouth call center. After establishing service, the customer must enter their new telephone number onto their coupon before redeeming. -Customers establishing service in non-saturated SFD locations may receive a coupon for fulfillment upon demand. -Offer available only to customers establishing service (N or T order) in a newly constructed SFD. -Customers returning to BellSouth must not have had local service with BellSouth at least ten (10) days prior to the new service connection date. -The customer must place the order on or before December 31, 2005. -Offer valid for only one (1) service line per local service address. -Customer is limited to one (1) gift card coupon per twelve (12) month period. -The customer must place their order through a BellSouth business office or authorized telemarketing vendor or the alternative channel indicated on the direct mail piece or collateral provided. -Offer may not be combined with Representative \$100 Cash Back or Gift Card offer or Representative \$25 977 Gift Card or Representative \$25 Visa® Gift Card or \$50 Shopper's Cash Back or Service Connection Incentive. -Offer may be combined with cash back offers or other promotional offers on the same service, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of these promotions with any other promotions at the Company's sole discretion. -BellSouth reserves the right to discontinue or modify this promotion at any time without notice. | 07/15/04 to 12/31/05 |

All BellSouth marks contained herein and all set forth in the materials and services mark a portion of the Trade Dress owned by BellSouth Intellectual Property Corporation.
Visa is a registered trademark of Visa International Service Association.

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.1 Descriptions (Cont'd)

A. The following promotions are on file with the Commission: (Cont'd)

| Area of Promotion | Service | Charges Waived | Period Authority |
|---|------------------------------------|--|---------------------|
| BellSouth's Service Territory From Central Office where service is 1-800-850-8500 | \$100 Cash Back or Gift Card Offer | Customers returning to BellSouth and purchasing a Complete Choice family plan or PreferredBack plan will be eligible to receive \$100 cash back or a \$100 Visa® gift card. | 3/24/02 (C) |
| | | Restrictions and Eligibility Criteria: | 12/31/02 (N) |
| | | - Customer must either not currently have local service with BellSouth or not have service with BellSouth on one or more of their existing lines, including the line on which the service qualifying for this promotion will be provided. | |
| | | - Customer must have local service or equivalent (wireless or fixed wire-line) at the same local service address on one or more of their existing lines. | |
| | | - Customer must request service at the same address and at the same time, unless customer is planning an imminent move from one address in BellSouth territory to another address in BellSouth territory within thirty (30) days of responding to the offer. In the case of an imminent move, the BellSouth rep can offer the customer the promotion and place the order at the new address. | |
| | | - Customer must have not had local service with BellSouth at least ten (10) days prior to the new service connection date to be eligible. | |
| | | - The customer must switch their local service to BellSouth and purchase any one of the following: Complete Choice plan, Complete Choice Two-Line Plan package, Complete Choice Three-Line Plan package, Area Plus with Complete Choice plan, Area Plus with Complete Choice Two-Line Plan package, Area Plus with Complete Choice Three-Line Plan package, or PreferredBack plan. | (M)(T) |
| | | - Customer must have the eligible service on their new service order (N) in order to receive the promotional offer. | |
| | | - Offer valid for only one (1) service line at the residential local service address. | |
| | | - BellSouth reserves the right to discontinue or modify this promotion at any time without customer notice. | |
| | | - The customer must place the order on or before 12/31/02. | (C) |
| | | - The customer must place their order through a BellSouth business office or outbound telemarketing vendor or alternate channel. | (T) |
| | | - The customer must fill out a coupon and mail the coupon to a specified address by a specified date in order to receive the \$100 cash back or gift card. | (C) |
| | | - Once the customer completes the above requirements they will receive the \$100 cash back or gift card. If the customer cancels or discontinues the qualifying service prior to fulfillment, he will be ineligible for this offer. | (C) |

Revised version of the BellSouth promotion is posted in 12.1 of the order.

All BellSouth marks, services, names and all other marks, trademarks and service marks herein of the kind are owned by BellSouth Intellectual Property Corporation.
Visit a registered trademark of Visa International Service Association.

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are on file with the Commission (Cont'd):

| Area of Promotion | Service | Change Wanted | Period | Authority |
|---|-----------------|---|---------|-----------|
| BellSouth's Service Territory - from Central Office when services are available | \$100 Cash Back | - Offer may be combined with cash back offers or other promotional offers on the same service, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of this promotion with any other promotion, at the Company's sole discretion. | 1/24/05 | (C) |
| | Gift Card Offer | | 3/12/05 | (C) |
| | | - Customer may not receive both the \$100 cash back and the \$100 gift card. If customer does not specify which reward he/she prefers, customer will receive the \$100 cash back. | | (N) |

Material previously appearing in this page has been moved to pages 32.1 of this section.

All BellSouth, related companies and/or service marks, trademarks and/or registered service marks are owned by BellSouth Intellectual Property Corporation.

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.1 Descriptions (Cont'd)

A. The following promotions are approved by the Commissioner (Cont'd):

| Area of Promotion | Service | Charge Waived | Period |
|--|---|--|----------------------|
| BellSouth's service territory from central offices where service was provided. | Stoppers Cash Back for Complete Choice plans, PreferredFacts plan, 300-400 lines. | Note: In order to receive maximum discounts when ordering BellSouth and monitor information on local service or bundle prices for comparison with competitive offers and indicate a reluctance to place an order during the call will be offered a coupon redeemable for up to \$50 Cash Back or up to \$50 in merchandise as an incentive to close the sale. Existing residence customers who contact BellSouth to downgrade or disconnect their service will be offered a coupon redeemable for up to \$50 Cash Back or up to \$50 in merchandise if they agree to cancel their service at a level that satisfies the criteria specified following. | 05/15/04 to 12/31/05 |

Restrictions and Eligibility Criteria:

- This Cash Back offer is limited to residential customers subscribing to or ordering one of the following services:
 - a. the PreferredFacts plan,
 - b. any of the Complete Choice plans, or
 - c. for new individual line service with at least one vertical feature and at least one of the following services: a BellSouth Long Distance plan, a BellSouth internet access plan or a Complete wireless plan.
- Customer must have the eligible services on their new service order (N) or must maintain their current services on their existing account to receive a redeemable coupon.
- A new customer must place a qualifying order on or before 12/31/05.
- Offer valid for only one (1) service line at the qualifying local service address.
- The customer must fill out a coupon and mail the coupon to a specified address by a specified date to receive up to \$50 cash back or merchandise.
- If the customer reaches or discontinues the qualifying service prior to fulfillment, they will be ineligible for the cash back or merchandise offer.
- This offer may be combined with other cash back or promotional offers on the same service, as such offers may be simultaneously available, from time to time, provided that the Company reserves the right to prohibit the combination of the promotion with any other promotion at the Company's sole discretion.
- This offer cannot be combined with redemption \$100 Cash Back or Gift Card offers, \$25 Gift Card offers, or offers that have any other fees.
- BellSouth reserves the right to discontinue or modify this promotion at any time without customer notice.

17.

All BellSouth plans described herein and as set forth in the statements and service orders herein are subject to BellSouth Business Product Corporation.

BELLSOUTH
 TELECOMMUNICATIONS INC.
 FLORIDA
 ISSUED: March 1, 2005
 BY: Joseph P. Lecher, President-FL
 Miami, Florida

ISSUED BY: BELL SOUTH TELECOMMUNICATIONS INC.

Third Revision Page 12 of 1
 Update Service Handbook Page 12 of 1
 EFFECTIVE: March 24, 2005

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are on file with the Commission (Cont'd)

| Area of Promotion | Service | Description | Period | Authority |
|---|--------------------------------------|---|---------------------|-----------|
| BellSouth's Service Territory - Fixed Central Office - Area where not available | USPS Target SM Card Offer | BellSouth USPS Target Card Offer is available for customers ordering or transferring service with BellSouth. Customers will be advised to place their BellSouth order via a website. Customers purchasing BellSouth service (N or T order) via an online ordering system will receive a Target Gift Card valued at twenty-five dollars (\$25.00). | 10/28/04 to 4/30/05 | (T) |
| Rules and Regulations | | | | |
| -Orders must be placed via an online tool (noted in collateral). | | | | |
| -Orders placed via orders of the Consumer Large Team will not be eligible for this offer. | | | | |
| -Orders must be placed on or by April 30, 2005. | | | | |
| -Offer is limited to one (1) eligible line per customer. | | | | |
| -Offer may not be combined with Reconnection \$100 Cash Back or Gift Card offer or the Reconnection \$25 VFP Gift Card or Reconnection \$25 Visa [®] Gift Card or \$50 Support Cash Back or Service Connection Waiver. | | | | |
| -BellSouth reserves the right to modify this promotion at any time following any required Commission action. | | | | |

All Bellsouth marks contained herein and all other marks contained herein are trademarks and service marks of Bellsouth Intellectual Property Corporation.
 Target is a registered trademark of Target Brands, Inc.
 Visa is a registered trademark of Visa International Service Association.

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are on file with the Commission: (Cont'd)

| Area of Promotion | Service | Changes Waived | Federal Authority |
|--|---------------------|---|---|
| Bellsouth's Service Territory - Fixed Central Offices where services are available | SFD Gift Card Offer | <p>Customers moving into uncontracted, newly constructed SFDs (Single Family Dwellings) will receive collateral that will include a coupon redeemable for a gift card valued at \$50 dollars (\$50.00). The gift card will not be redeemable for cash.</p> <p>Rules And Regulations</p> <ul style="list-style-type: none"> -Offer begins July 18, 2004 and ends December 31, 2005 -Customers receive collateral from the SFD sales office with instructions to place their order via an online tool or to an 800 number to BellSouth. -To redeem the coupon, the customer must first establish service with BellSouth via online ordering tool or designated 800 number or by contacting a BellSouth representative in a BellSouth call center. After establishing service, the customer must enter their new assigned number into their coupon before redeeming. -Customers establishing service in non-targeted SFD locations may receive a coupon for fulfillment upon demand. -Offer available only to customers establishing service (N or T order) at a newly constructed SFD. -Customer returning to BellSouth must not have had local service with BellSouth at least 60 (60) days prior to the new service connection date. -The customer must place the order on or before December 31, 2005. -Offer valid for only one (1) service line per local service address. -Customer is limited to one (1) gift card coupon per twelve (12) month period. -The customer must place their order through a BellSouth business office or outbound telemarketing vendor or the alternative channel indicated on the direct mail piece or collateral provided. -Offer may not be combined with Reconnection \$100 Cash Back or Gift Card offer or Reconnection \$25 VIP Gift Card or Reconnection \$25 You® Gift Card or \$50 Shopper Cash Back or Service Connection Incentive. -Offer may be combined with cash back offers on other promotional offers on the same services, as such offers may be discontinued available from time to time, provided that the Company reserves the right to prohibit the combination of these promotions with any other promotions at the Company's sole discretion. -BellSouth reserves the right to discontinue or modify this promotion at any time without notice. | <p>07/15/04 10 12/31/05</p> |

7-4-04

BellSouth Telecommunications LLC
100 South Monroe Street
Suite 400
Tallahassee, Florida 32301

Marshall M. Osher II
Vice President
Regulatory & External Affairs

marshall.osher@bellsouth.com

(850) 224-7799
Fax (850) 224-6070

December 17, 2004

Beth Salak, Director
Competitive Markets and Enforcement
Attn: Tariff Section
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Dear Ms. Salak:

Pursuant to Florida Statute 364.051, we are filing revisions to our General Subscriber Service Tariff. Attached for filing with the Commission is the following tariff page:

General Subscriber Service Tariff

Section A2 - Twenty Sixth Revised Page 33

These revisions extend the Shoppers Cash Back promotion. Attachment A contains an Executive Summary of the program.

Acknowledgment, date of receipt and authority number of this filing are requested.

Yours very truly,

Regulatory Vice President

Attachments

EXHIBIT B

Promotion Description

Shoppers Cash Back Extension

Overview

The Shoppers Cash Back promotion began May 15, 2004, and was scheduled to end December 31, 2004. The Company will extend the end date of this promotion until December 31, 2005.

Promotion Specifics

New or existing customers who contact BellSouth and request information on local service or bundle prices for comparison with competitive offers and indicate a reluctance to place an order during the call will be offered a coupon redeemable for up to \$50 Cash Back or up to \$50 in merchandise as an incentive to close the sale.

Existing customers who contact BellSouth to downgrade or disconnect their service will be offered a coupon redeemable for up to \$50 Cash Back or up to \$50 in merchandise if they agree to extend their service at a level that satisfies the criteria specified below.

Restrictions/Eligibility Requirements

1. This Cash Back offer is limited to customers subscribing to or ordering one of the following services:
 - a. the PreferredPack[®] plan,
 - b. any of the Complete Choice[®] plans, or
 - c. flat rate individual line service with at least one vertical feature and at least one of the following services: a BellSouth[®] Long Distance plan, a BellSouth Internet access plan or a Cingular[®] wireless plan.
2. Customer must have the eligible services on their new service order (N) or must maintain their current services on their existing account to receive a redeemable coupon.
3. A new customer must place a qualifying order on or before December 31, 2005.
4. Offer valid for only one (1) service line at the qualifying local service address.
5. The customer must fill out a coupon and mail the coupon to a specified address by a specified date to receive the cash or merchandise.
6. If the customer cancels or discontinues the qualifying service prior to fulfillment, they will be ineligible for the cash back offer.
7. This offer may be combined with other cash back or promotional offers on the same services, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of this promotion with any other promotion at the Company's sole discretion.
8. This offer cannot be combined with reacquisition cash back offers.
9. BellSouth reserves the right to discontinue or modify this promotion at any time without customer notice.

BELL SOUTH
 TELECOMMUNICATIONS, INC.
 FLORIDA
 ISSUES (Enclosed) 10/15/92 Date
 BY Joseph P. Lucas, President - FL
 Miami, Florida

ATTENTION: Mr. Joseph P. Lucas, President - FL

Company State Form Revised Page 22
 Florida Statute Title Fourth Revised Page 23
 BR 22 17153 Chapter 1, Title May 14, 1984

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are approved by the Commission: (Cont'd)

| Area of Promotion | Service | Changes Warranted | Period | |
|-------------------------------|--------------------|--|----------------------------|----------------|
| (Deleted) | Service | Restructuring and new monthly rates and Reward Plan agreements | 01/15/92 | (2) |
| Transfer from | Service | Restructuring and Reward Plan agreements | 07/01/92 | (2) |
| where restrictions | Service | Restructuring and Reward Plan agreements | | |
| (PSTN) service is | Service | Restructuring and Reward Plan agreements | | |
| | | | | |
| BellSouth's service | Shoppers Cash Back | New or existing residence customers who contact BellSouth will request information on local service or bundle prices for comparison with competitive offers and indicate a preference to place an order during the call will be offered a coupon redeemable for up to \$50 Cash Back or up to \$50 in merchandise as an incentive to close the sale. | 05/15/94 to 12/31/94 | (2) |
| cannot obtain | for Complete Care | | | |
| where services are | plan. See rule 17A | | | |
| available | | | | |
| | | Existing residence customers who contact BellSouth to downgrade or disconnect their service will be offered a coupon redeemable for up to \$50 Cash Back or up to \$50 in merchandise if they agree to enroll their service in a plan that satisfies the criteria specified below. | | (2) |
| | | Restrictions and Eligibility Criteria: | | (2) |
| | | - This Cash Back offer is limited to residence customers subscribing to or ordering one of the following services: | | (2) |
| | | a. the PreferredPlan plan; | | (2) |
| | | b. any of the Complete Care plans; or | | (2) |
| | | c. flat rate residential line service with at least one vertical feature and at least one of the following services: 1. BellSouth Long Distance plan; 2. BellSouth Internet access plan or 3. Multiple services plan. | | (2) |
| | | - Customer must have the eligible services on their new service order (N) or must maintain their current services on their existing service or receive a replacement coupon. | | (2) |
| | | - A new customer must place a qualifying order on or before 12/31/1994. | | (2) |
| | | - Offer valid for only one (1) service use at the qualifying local service address. | | (2) |
| | | - The customer must fill out a coupon and mail the coupon to a specified address by a specified date to receive up to \$50 Cash Back or merchandise. | | (2) |
| | | - If the customer cancels or discontinues the qualifying service prior to fulfillment, they will be ineligible for the cash back or merchandise offer. | | (2) |
| | | - This offer may be combined with other cash back or promotional offers on the same services, as long as there may be, concurrently, available from time to time provided that the Company reserves the right to prohibit the combination of this promotion with any other promotion at the Company's sole discretion. | | (2) |
| | | - This offer cannot be combined with other cash back offers, Bell Care Card offers, or offers that waive activation fees. | | (2) |
| | | - BellSouth reserves the right to discontinue or modify this promotion at any time without customer notice. | | (2) |

~~Subject to Commission's rules and regulations regarding special promotions~~

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are approved by the Commission. (Cont'd)

| Area of Promotion | Service | Charges Waived | Period | |
|--|---|---|---------------------------------|------------|
| BellSouth's service territory (new personal offices where services are available) | Shipping Cash Back for Complete Choice plans, Preferred Pack plan, Flat rate lines | New or existing residential customers who contact BellSouth and request information on local service or bundle prices for comparison with competitive offers, and indicate a preference to place an order during the call will be offered a coupon redeemable for up to \$50 Cash Back or up to \$50 in merchandise as an incentive to close the sale. | 05/15/04 to 12/31/05 | (D) (L) |
| | | Existing residential customers who contact BellSouth to downgrade or disconnect their service will be offered a coupon redeemable for up to \$50 Cash Back or up to \$50 in merchandise if they agree to extend their service at a level that satisfies the criteria specified below: | | |
| | | Restrictions and Eligibility Criteria: | | |
| | | - This Cash Back offer is limited to residential customers subscribing to or ordering one of the following services: | | |
| | | a. the Preferred Pack plan, | | |
| | | b. any of the Complete Choice plans, or | | |
| | | c. any new or return line service with at least one service feature and at least one of the following services: a BellSouth Long Distance plan, a BellSouth internet access plan or a Complete Choice plan. | | |
| | | - Customers must have the eligible service in their new service order (NO) or must maintain their current service on their existing account to receive a redeemable coupon. | | |
| | | - A new customer must place a qualifying order on or before 12/31/05. | | (C) |
| | | - Offer valid for only one (1) service line at the qualifying local service address. | | |
| | | - The customer must fill out a coupon and mail the coupon to a specified address by a specified date to receive up to \$50 cash back or merchandise. | | |
| | | - If the customer cancels or discontinues the qualifying service prior to fulfillment, they will be ineligible for the cash back or merchandise offer. | | |
| | | This offer may be combined with other cash back or promotional offers on the same services, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of this promotion with any other promotion at the Company's sole discretion. | | |
| | | - This offer cannot be combined with merchandise \$100 Cash Back offers, \$25 Gift Card offers, or offers that have activation fees. | | |
| | | - BellSouth reserves the right to discontinue or modify this promotion at any time without customer notice. | | |

2041264

Bellsouth Telecommunications, Inc.
190 South Monroe Street
Suite 400
Tallahassee, Florida 32301

marshall.m.criser@bellsouth.com

Marshall M. Criser III
Vice President
Regulatory & Financial Affairs

Phone: 904-378-8800
Fax: (850) 224-5073

December 17, 2004

Ben Salak, Director
Competitive Markets and Enforcement
Att. Tariff Section
3541 Shumard Oak Boulevard
Tallahassee, Florida 32399-0830

Dear Mr. Salak:

Pursuant to Florida Statute 364.051, enclosed is a package filing for STD Gift Card Offer. The issue and effective dates for this tariff package are December 17, 2004 and January 1, 2005, respectively.

General Subscriber Service Tariff

Section A2

First Revised Page 35 6.9

Acknowledgment, date of receipt and authority number of this filing are requested. Your consideration and approval will be appreciated.

Yours very truly,

Marshall M. Criser III mrs

Regulatory Vice President

Attachments

EXHIBIT C

Promotion Description

SFD Gift Card Offer Extension**Proposed Promotion**

BellSouth SFD Gift Card Offer, which began July 15, 2004 and ends December 31, 2004, is extended from January 1, 2005 to December 31, 2005. Customers moving into targeted, newly constructed Single Family Dwellings, Townhomes or Condominiums will receive collateral redeemable for a gift card valued at fifty-dollars (\$50.00). The gift card will not be redeemable for cash.

Promotion Specifics

1. Extended from January 1, 2005 to December 31, 2005.
2. Targeted at customers who purchase newly constructed SFDs (Single Family Dwellings) in contracted communities.
3. Customers receive collateral from the SFD sales offices with instructions to place their order via an online tool or to an 800 number to BellSouth.
4. To redeem the coupon, the customer must first establish service with BellSouth via online ordering tool or designated 800 number or by contacting a BellSouth representative in a BellSouth call center. After establishing service, the customer must enter their new telephone number onto their coupon before redeeming.
5. Customers establishing service in non-targeted SFD locations may receive a coupon for fulfillment upon demand.

Restrictions/Eligibility Requirements

1. Offer available only to customers establishing service (N or T order) in a newly constructed SFD.
2. Customers returning to BellSouth must not have had local service with BellSouth at least ten (10) days prior to the new service connection date.
3. The customer must place the order on or before December 31, 2005.
4. Offer valid for only one (1) service line per local service address.
5. Customer is limited to one (1) gift card coupon per twelve (12) month period.
6. The customer must place their order through a BellSouth business office or outbound telemarketing vendor or the alternative channel indicated on the direct mail piece or collateral provided.
7. Offer may not be combined with Reacquisition \$100 Cash Back offer or Reacquisition \$25 VIP Gift Card or Reacquisition \$25 Visa Gift Card or \$50 Shoppers Cash Back or Service Connection Waiver.
8. Offer may be combined with cash back offers or other promotional offers on the same services, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of these promotions.

Tariff Filing Package Number: FL 2004-126

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are on file with the Commission. (Cont'd)

| Area of Promotion | Service | Charges/Restrictions | Period Authority |
|--|---------------------|--|--|
| BellSouth Service Territory - From Central Office where services are available. | SFD Gift Card Offer | Customers making into unsecured, newly unsecured SFDs (Single Family Installments) and receive collateral that will include a coupon redeemable for a gift card valued at \$50 dollars (\$50.00). The gift card will not be redeemable for cash. | 9/15/04 An 11/21/04 (2) 11/05 |
| | | Rules And Regulations | |
| | | Offer begins July 15, 2004 and ends November 30, 2004 December 31, 2005 | (4)(1) |
| | | Customers receive order(s) from the SFD sales office with instructions to place their order via an online tool or at an 800 number to BellSouth. | (4) |
| | | To redeem this coupon, the customer must first establish service with BellSouth via online ordering tool or designated 800 number or by contacting a BellSouth representative at a BellSouth call center. After establishing service, the customer must enter their new telephone number onto their coupon before redeeming. | (4) |
| | | Customers establishing service in non-targeted SFD locations may receive a coupon for BellSouth upon demand. | (4) |
| | | Offer available only to customers establishing service to or from a newly unsecured SFD. | (4) |
| | | Customers returning to BellSouth must not have had local wire service with BellSouth at least 90 days prior to the new service connection date. | (4) |
| | | The customer must place the order at or before November 30, 2004 December 31, 2005. | (4)(1) |
| | | Offer valid for only one (1) service line per each service address. | (4) |
| | | Offer is limited to one (1) gift card coupon per twelve (12) month period. | (4) |
| | | The customer must place their order through a BellSouth business office or authorized telemarketing center or the alternative channel indicated on the direct mail piece or unsecured promotion. | (4) |
| | | Offer may not be combined with Regulators' \$100 Cash Back offer or Regulators' SFD VET Gift Card or Regulators' \$25 New Gift Card or \$50 Singapore Cash Back or Service Connection Incentive. | (4) |
| | | Offer may be combined with cash back offers or other promotional offers on the same service, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of these promotions with any other promotions at the Company's sole discretion. | (4) |
| BellSouth reserves the right to discontinue or modify this promotion at any time without notice. | (4) | | |

10 BellSouth may, in its sole discretion, modify or discontinue this promotion at any time without notice.

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are set forth with the Commission's approval:

| Area of Promotion | Service | Charges Waived | Period Authority |
|---|----------------------|--|----------------------------|
| BellSouth's Service January - from Central Office work services are available | \$10 Gift Card Offer | Customers receiving new residential, newly constructed SP2s (single family dwellings) will receive collateral that will include a coupon redeemable for a gift card valued at fifty-dollars (\$50.00). The gift card will not be redeemable for cash. | 07/15/94 to 12/31/95 |
| | | Subject Area Regulations | |
| | | - Offer begins July 15, 1994 and ends December 31, 1995. | (C) |
| | | - Customers receive collateral from the SP2 sales office with instructions to place their order via an online tool or to an 800 number to BellSouth. | |
| | | - To receive the coupon, the customer must first establish service with BellSouth via either order request or designated 800 number or by contacting a BellSouth representative in a BellSouth call center. After establishing service, the customer must enter their new telephone number into their coupon before redemptions. | |
| | | - Customer establishing service to event-based SP2 locations may receive a coupon for fulfillment upon demand. | |
| | | - Offer available only to customers establishing service on T orders to a newly constructed SP2. | |
| | | - Customers receiving to BellSouth could not have had local service with BellSouth at least ten (10) days prior to the new service commencement date. | |
| | | - The customer must place the order on or before December 31, 1995. | (C) |
| | | - Offer valid for only one (1) service line per local service address. | |
| | | - Customer is limited to one (1) gift card coupon per twelve (12) month period. | |
| | | - The customer must place their order through a BellSouth business office or authorized participating vendor or the alternative channel indicated on the direct mail piece or collateral provided. | |
| | | - Offer may not be combined with Recommendations \$100 Cash Back offer or Recommendations \$10 VSP Gift Card or Recommendations \$10 Visa Cash Card or \$50 Shoppers Cash Back or Various Recommendations Waiver. | |
| | | - Offer may be combined with cash back offers or other promotional offers on the same services, as such offers may be temporarily available from time to time, provided that the Company reserves the right to prohibit the combination of these promotions with any other promotions at the Company's sole discretion. | |
| | | - BellSouth reserves the right to discontinue or modify this promotion at any time without notice. | |

1060124

BellSouth Telecommunications, Inc.
150 South Monroe Street
Suite 400
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Marshall M. Criser III
Vice President
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(850) 224-7792
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January 14, 2004

Beth Salak, Director
Competitive Markets and Enforcement
Reg. Tariff Section
2540 Shomard Oak Boulevard
Tallahassee, Florida 32309-0850

Dear Ms. Salak:

Enclosed is a package filing to revise the end date for BellSouth 1FR+2 Free Features Promotion from March 31, 2005 to January 31, 2005.

General Subscriber Service Tariff

Section A2

2nd Revised Page 35.5 & 3

The issue and effective dates for this tariff package are January 14, 2004 and January 31, 2005, respectively.

Acknowledgment, date of receipt and authority number of this filing are requested. A duplicate letter of transmittal is attached for this purpose.

Your consideration and approval will be appreciated.

Yours very truly,

Regulatory Vice President

Attachments

EXHIBIT D

Promotion Description

1FR with 2 Features At No Charge for 12 Months Promotion (Extension)

Proposed Promotion

The 1FR with 2 Features At No Charge for 12 Months is extended until January 31, 2005.

Promotion Specifics:

This promotion offers reacquisition or wireover customers who purchase a 1FR (local line) from BellSouth and who are not currently using BellSouth for local service, two (2) features at no charge for twelve (12) months.

Restrictions/Eligibility Requirements:

1. Customer must either not currently have local service with BellSouth or not have service with BellSouth on one or more of their existing lines, including the line on which the service qualifying for this promotion will be provisioned.
2. Customer must have local service or equivalent (wireless in lieu of wire-line) at the same local service address on one or more of their existing lines.
3. Customer must request service at the same address and in the same name, unless customer is planning an imminent move from one address in BellSouth territory to another address in BellSouth territory within 30 days of responding to the offer. In the case of an imminent move, the BellSouth rep can offer the customer the promotion and place the order at the new address.
4. Customer must have not had local service with BellSouth at least 10 days prior to the new service connection date.
5. The customer must switch their local service to BellSouth and purchase BellSouth basic service.
6. The customer must place the order on or before January 31, 2005.
7. Offer valid for only one (1) service line at the intended local service address.
8. The customer must place their order through a BellSouth business office or outbound telemarketing vendor or alternate channels as indicated.
9. Once the customer completes the above requirements they will receive three local line features without charge for 12 months. If the customer cancels or discontinues the qualifying service, he will be ineligible for this offer.
10. BellSouth reserves the right to discontinue or modify this promotion at any time without customer notice.
11. Customer must have the eligible services on their new service order (NO) in order to receive the promotional offer.
12. This promotion may not be combined with the Reacquisition 5100 1FR + 2 Features Cash Back offer.
13. Offer may not be combined with any cash back offers however, this offer may be combined with other promotional offers on the same services, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of this promotion with any other promotion, at the Company's sole discretion.

ISSUED: January 14, 2003
BY: Joseph P. Lichten, President, P.L.
Miami, Florida

EXPIRES: August 31, 2003

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following provisions are to be used in conjunction with the

| Area of Promotion | Service | Changes Needed | Special Authority |
|--------------------------------|--|--|---------------------------------|
| BellSouth's Service (anywhere) | Basic Local Service with 7 Features As No Charge for 12 services are available (Local 816) only | - This promotion offers registration of customer activation who purchase basic local service from BellSouth and who are currently not using BellSouth for local service may (2) register at no charge for 12 months | (1) 03/04 to 002004 11/01 |
| | - Customer must either not previously have local service with BellSouth or not have service with BellSouth on one or more of their existing lines, including the line on which the service qualifying for this promotion will be provided. | - Customer must have the eligible service on their new service order (NO) in order to receive the promotional offer. | |
| | - Customer must have local service at a residential address on line of same line at the same local service address on line as service on line existing line. | - Offer valid for only one (1) use per line at the intended local service address | |
| | - Customer must request service at the same address and in the same state. When customer is planning to relocate, move, transfer address to BellSouth service at another address in BellSouth service area within 30 days of responding to the offer, in the case of an imminent move, the BellSouth rep can offer the customer the promotion and then the order at the new address. | - The customer must place the order up or before March 31, 2003 January 31, 2005 | (1) 03/04 |
| | - Customer must pay for local service with BellSouth at least 10 days prior to the date service connection date. | - This promotion may not be combined with \$100 OFF - 2 Local Back Offer. | |
| | - The customer must switch their local service to BellSouth and pay for BellSouth local service. | - Offer may not be combined with other back offers in transit. | |
| | - The customer must place their order through a BellSouth business office or authorized representative, or the promotion cannot be activated. | - This offer may be combined with other promotional offers on the same service, as each offer may be concurrently available from same or lines, provided that the Company reserves the right to prohibit the combination of this promotion with any other promotion, at the Company's sole discretion. | |
| | - If the customer requests the offer, registration and activation of the promotion must be completed within 12 months of the date of registration. | - BellSouth reserves the right to discontinue or modify this promotion at any time with no minimum notice. | |

All BellSouth marks contained herein and all other marks contained herein are trademarks and service marks of BellSouth Intellectual Property Company.

Effective January 31, 1988

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are in line with the Commission's (Cont'd)

| Area of Promotion | Service | Charges Waived | Period Authority |
|---|---|--|--|
| Handbook to Service Territory - Each Field Office where services are available (Coastal/Massive) | <p>Basic Local Service with BellSouth as their carrier for their existing lines, including the line on which the service qualifying for this promotion will be provisioned.</p> <p>Customer must have had service or equivalent service in line of service at the same local service address on one or more of their existing lines.</p> <p>Customer must request service at the same address and in the same name, unless customer is planning to permanently move from one address in BellSouth territory to another address in BellSouth territory within 90 days of requesting the offer. In the case of a permanent move, the BellSouth request offer the customer the promotion and place the order at the new address.</p> <p>Customer must be a residential local service with BellSouth as their carrier prior to the start of the promotion date.</p> <p>The customer must reside in an area served by BellSouth and purchase BellSouth basic service.</p> <p>The customer must place their order through a BellSouth business office or authorized telemarketing center. Other channels are prohibited.</p> <p>After the customer completes the order submission they will receive two bills. One bill for the first 12 months of the customer's service to which apply the qualifying service will be applicable.</p> | <p>This promotion offers no question or answer customer who purchases local service from BellSouth and who are currently not using BellSouth for local service two (2) months at no charge for 12 months.</p> <p>Customer must have the eligible service on their new service order (NO) in order to receive the promotional offer.</p> <p>Offer valid for only one (1) service line at the residential local service address.</p> <p>The customer must place the order on or before January 31, 1988.</p> <p>This promotion may not be combined with \$100 LFR or Cash Back offers.</p> <p>Offer may not be combined with cash back offers however.</p> <p>This offer may be combined with other promotional offers on the same service, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of the promotion with any other promotion, at the Company's sole discretion.</p> <p>BellSouth reserves the right to discontinue or modify this promotion at any time without notice.</p> | <p>1987-1988 30 331-03</p> |

BellSouth Telecommunications, Inc.
150 South Monroe Street
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Tallahassee, Florida 32301

marshall.creech@bellsouth.com

Marshall M. Creech III
Vice President
Regulatory & External Affairs

(850) 224-7798
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December 24, 2004

Beth Salak, Director
Competitive Markets and Enforcement
Attn: Tariff Section
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Dear Ms. Salak,

Pursuant to Florida Statute 364.051, we are filing revisions to our General Subscriber Service Tariff. Attached for filing with the Commission is the following tariff page:

General Subscriber Service Tariff

Section A2 - Second Revised Page 32 B

These revisions restart a special promotion for Complete Choice[®] service and the PreferredPack[®] plan. Attachment A contains an Executive Summary of the program.

Acknowledgment, date of receipt and authority number of this filing are requested.

Yours very truly,

Regulatory Vice President

Attachments

Promotion Description

\$5 Discount for Reacquisition and Winover

Overview

The \$5 Discount for Reacquisition and Winover promotion is scheduled to begin on January 9, 2005 and end on December 31, 2005. Services included in this promotion are the BellSouth® PreferredPack® plan and the BellSouth® Complete Choice® family of plans.

Promotion Specifics

Any potential customer who is currently using someone other than BellSouth for local service and who switches to BellSouth and purchases 1) the BellSouth PreferredPack plan or any product in the BellSouth Complete Choice plan family and 2) any BellSouth Long Distance product other than BellSouth Long Distance Unlimited service will receive a \$5 monthly discount on the PreferredPack plan or the product from the Complete Choice plan family.

Restrictions/Eligibility Requirements

1. Customer must either not currently have local service with BellSouth or not have service with BellSouth on one or more of their existing lines, including the line on which the service qualifying for this promotion will be provisioned.
2. Customer must have local service or equivalent (wireless in lieu of wire-line) at the same local service address on one or more of their existing lines.
3. Customer must request service at the same address and in the same name, unless customer is planning an imminent move from one address in BellSouth territory to another address in BellSouth territory within 30 days of responding to the offer. In the case of an imminent move, the BellSouth representative can offer the customer the promotion and place the order at the new address.
4. Customer must have not had local service with BellSouth for at least 10 days prior to the new service connection date.
5. The customer must switch their local service to BellSouth and purchase the following products:
 - a. The PreferredPack plan or a product from the Complete Choice plan family; and
 - b. A BellSouth Long Distance product other than BellSouth Long Distance Unlimited service. A specific long distance plan must be selected. Selecting a BellSouth PIC and L.PIC without selection of a Long Distance plan will not qualify a customer for this discount.
6. Customer must have the eligible services on their new service order (N) in order to receive the promotional offer.
7. The benefits of this promotion will be extended to existing BellSouth customers who call the BellSouth business office and request this specific offer.
8. The customer must place the order on or before December 31, 2005.
9. Offer valid for only one (1) service line at the intended local service address.
10. The customer must place their order through a BellSouth business office or outbound telemarketing vendor or alternate channel.
11. Once the customer completes the above requirements they will receive the \$5 discount on their monthly bill. If the customer cancels or discontinues one or more of the qualifying services, he will be ineligible for the discount.
12. BellSouth reserves the right to discontinue or modify this promotion at any time without notice.
13. Offer may be combined with cash back offers or other promotional offers on the same services, as such offers may be concurrently available from time to time, provided that the Company reserves the right to prohibit the combination of this promotion with any other promotion, at the Company's sole discretion. This promotion may not be combined with the Unlimited Reacquisition Bundle Offer.

A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are on file with the Commission (Cont'd)

| Area of Promotion | Service | Changes Waived | Period Authority |
|---|--|--|----------------------------|
| BellSouth's service working from central offices where services are available | Complete Choice service and PreferredPack plan | Any customer who transfers their local service from another provider to BellSouth and purchases 1) the BellSouth PreferredPack plan or any product in the BellSouth Complete Choice plan family, and 2) any BellSouth Long Distance product other than BellSouth Long Distance Unlimited service will receive a \$1 monetary discount on the PreferredPack plan or the product from the Complete Choice plan family. Restrictions and Eligibility Criteria: - The customer is limited to which services qualifying for this promotion will be professional must have local service to this BellSouth territory from another provider. The customer must switch the local service to BellSouth. - Customer must require service at the same address and in the same name, unless customer is planning to imminent move from one address in BellSouth territory to another address in BellSouth territory within 30 days of responding to the offer. In the case of an imminent move, the BellSouth representative can offer the customer the promotion and place the order at the new address. - Customer must have not had local service with BellSouth for at least 10 days prior to the new service to complete data. - Customer must have the right to service on their new service order (NO) in order to receive the promotional offer. In lieu of satisfying the preceding criteria, the benefits of this promotion will be extended to existing BellSouth customers who call the BellSouth business office, request this specific offer and satisfy the remaining restrictions and criteria. - Customer must purchase the following products: a. The PreferredPack plan or a product from the Complete Choice plan family, and b. A BellSouth Long Distance product other than BellSouth Long Distance Unlimited service. A specific long distance plan must be selected. Selecting a BellSouth PR and LNC without selection of a Long Distance plan will not qualify a customer for this discount. - The customer must place the order on or before January 9, December 31, 2005. - Offer valid for only one (1) service line at the residential local service address. - The promotion must be placed through a BellSouth business office or authorized telemarketing vendor or alternate channel. If the customer transfers or discontinues one or more of the qualifying services, he will be ineligible for the discount. - BellSouth reserves the right to discontinue or modify this promotion at any time with appropriate notice. Offer may be combined with other offers or other promotional offers on the same service, on each offer and, the corresponding available term time to date, provided that the Company reserves the right to prohibit the combination of this promotion with any other promotion or the Company's own promotion. This promotion may not be combined with the Unlimited International Service Offer. | 01/09/05 to 01/24/05 |

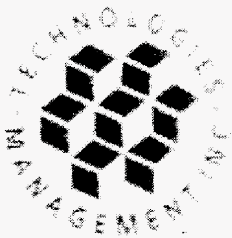
A2. GENERAL REGULATIONS

A2.10 Special Promotions (Cont'd)

A2.10.2 Descriptions (Cont'd)

A. The following promotions are in line with the Commission's Act(s):

| Area of Promotion | Service | Charges Waived | Period Authority |
|---|--|--|--------------------------------|
| BellSouth's service territory from which service will be available | Complete Choice service and PreferredPlan plan | The customer who reneges their local service from another provider in BellSouth and purchases a BellSouth PreferredPlan plan or any product in the BellSouth Complete Choice plan family and Long Distance Long Distance service will receive a 50% monthly discount on the PreferredPlan plan or any product from the Complete Choice plan family | 07/09/05 (C) to 12/31/05 |
| Residency and Eligibility Criteria | | | |
| The number of days on which the service qualifying for this promotion will be transferred from the local service within BellSouth territory from another provider. The customer must switch the local service to BellSouth. | | | |
| - Customer must remain at the same address and at the same phone number. Customer is planning an imminent move from one address in BellSouth territory to another address in BellSouth territory within 90 days of responding to the offer. In the case of an imminent move, the BellSouth representative can offer the customer the promotion and place the order at the new address. | | | |
| - Customer must have not had local service with BellSouth for at least 10 days prior to the local service connection date. | | | |
| - Customer must have the eligible services on their new service order (NO) in order to receive the promotional offer. | | | |
| - In lieu of accepting the preceding criteria, the benefits of this promotion will be extended to existing BellSouth customers who call the BellSouth business office request this specific offer and satisfy the remaining requirements and criteria. | | | |
| - Customer must purchase the following products: a. The PreferredPlan plan or a product from the Complete Choice plan family, and b. A BellSouth Long Distance product other than BellSouth Long Distance Unlimited service. A domestic long distance plan must be selected. Selecting a BellSouth POC and LDC without selecting a Long Distance plan will not qualify a customer for this offer. | | | |
| The customer must place the order at a BellSouth Business Office. | | | |
| Offer valid for only one (1) purchase per customer at the selected local service address. | | | |
| - The customer must place their order through a BellSouth business office or authorized representative, vendor or alternate channel. | | | |
| - If the customer reneges or discontinues all or some of the qualifying services, he will be ineligible for the discount. | | | |
| BellSouth reserves the right to discontinue or modify this promotion at any time with appropriate notice. | | | |
| - Offer may be discontinued without notice at other promotional offers on the same territory as this offer may be discontinuing promotion from time to time provided that the company retains the right to provide the continuation of this promotion with an offer extension at the company's sole discretion. This promotion may not be combined with any other promotion. BellSouth reserves the right to modify this promotion at any time with appropriate notice. | | | |



T 040 128

February 10, 2004
Via Overnight Delivery

110 N. Park Ave
Winter Park,
32789

Ms. Beth Salak
Director of Competitive Markets
Florida Public Service Commission
2540 Shansard Oak Boulevard
Tallahassee, Florida 32399-0870

P.O. Drawer 200
Winter Park, FL
32790-0200

RE: Tariff Revision for BellSouth Long Distance, Inc.

T 1554

Dear Ms. Salak:

tel: 407-740-8377
fax: 407-740-6613
msl@bellsouth.com

Enclosed for filing is the original and three (3) copies of a tariff revision filed on behalf of BellSouth Long Distance, Inc. This filing eliminates the calling card requirement from BellSouth® Dollar and BellSouth® Dollar Value plans. The Company respectfully requests an effective date of February 12, 2004 for this revision.

The following pages are included in this filing:

| <u>Page</u> | <u>Change Made</u> |
|-------------------------------------|--|
| 41 st Revised Page 2 | Updates Check Sheet |
| 13 th Revised Page 3 | Updates Check Sheet |
| 1 st Revised Page 157.14 | Deletes calling card requirement from BellSouth® Dollar plan |
| 1 st Revised Page 157.15 | Deletes calling card requirement from BellSouth® Dollar Value plan |

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

Any questions regarding this filing may be directed to my attention at (407) 740-8375.

Sincerely,


Thomas M. Forte
Consultant to BellSouth Long Distance, Inc.

TMF:zms
Enclosure

cc: Mario Soto - BellSouth
Robin Taylor - BellSouth
Nancy Sims - BSI
file: BellSouth - FL
msl: FL90404

EXHIBIT F

SECTION 4.0 - RATES AND CHARGES (CONT'D.)

4.2 Residential Service Offerings (Cont'd.)

4.2.36 BellSouth[®] Dollar Plan

The BellSouth[®] Dollar plan is a direct dialed outbound long distance service offered to residential Customers from switched access lines. Service is offered on a flat rate basis, twenty-four hours per day, seven days per week. Customers must dial 1 plus the area code, if applicable, and the terminating number to complete a call utilizing this service.

(D)
(D)

All calls are billed in one (1) minute increments after an initial period, for billing purposes, of one (1) minute. This service is only offered in conjunction with the corresponding interstate BellSouth[®] Dollar plan. This service is not offered on an intrastate only basis.

(A) Rates and Charges

(1) Monthly Recurring Charge

| | |
|---------------------------------|--------|
| Monthly Charge (per account): * | \$1.00 |
|---------------------------------|--------|

(2) Per Minute Rate

| | |
|--------------------|----------|
| Per Minute Charge: | \$0.1000 |
|--------------------|----------|

* This charge is the same as the Monthly Recurring Charge identified in the Company's Interstate Residential Services Pricing and Service Guide. Only one monthly recurring charge will apply when both interstate and intrastate service is provided to the Customer.

SECTION 4.0 - RATES AND CHARGES (CONT'D.)

4.2 Residential Service Offerings, (Cont'd.)

4.2.37 BellSouth® Dollar Value Plan

The BellSouth® Dollar Value plan is a direct dialed outbound long distance service offered to residential Customers from switched access lines. Service is offered on a flat rate basis, twenty-four hours per day, seven days per week. Customers must dial 1 plus the area code, if applicable, and the terminating number to complete a call utilizing this service.

Customers of this plan must subscribe to BellSouth® Complete Choice® plan, BellSouth® Area Plus® plan or Flat Rate Residential Individual lines. Customers who subscribe to Flat Rate Residential Individual lines must also subscribe to at least two Associated Services listed in Section 3.15 of this tariff. These plans and services are provided by the Company's affiliated incumbent local exchange entity. The Customer must also receive billing for each of these services from the Company's affiliated incumbent local exchange entity. Customers who no longer meet the eligibility requirements identified above will be transferred to the BellSouth® Dollar plan without further notice.

(D)
(D)

All calls are billed in one (1) minute increments after an initial period, for billing purposes, of one (1) minute. This service is only offered in conjunction with the corresponding interstate BellSouth® Dollar Value plan. This service is not offered on an intraLATA only basis.

(A) Rates and Charges

(1) Monthly Recurring Charge

Monthly Charge (per account): * \$1.00

(2) Per Minute Rate

Per Minute Charge: \$0.1000

* This charge is the same as the Monthly Recurring Charge identified in the Company's Interstate Residential Services Pricing and Service Guide. Only one monthly recurring charge will apply when both interstate and intrastate service is provided to the Customer.

BELLSOUTH
TELECOMMUNICATIONS, INC.
FLORIDA
ISSUED: January 31, 2005
BY: Joseph P. Lachar, President -FL
Mound, Florida

CONSUMER TELECOM SERVICE TARIFF

Thirteenth Revised Page 24
Cancel: Twelfth Revised Page 24

EFFECTIVE: February 15, 2005

A3. BASIC LOCAL EXCHANGE SERVICE

A3.4 Flat Rate Service (Cont'd)

A3.4.2 Monthly Rates (Cont'd)

D. Auxiliary Line Service (Forward Service) (Cont'd)

3. The auxiliary line is to be used for one way (forward to the subscriber) service only.
4. Auxiliary line service may or may not be arranged for rotary, banking or similar service which allows completion of an incoming call from a line that is called but is in use, by means of an arrangement of central office equipment on a full time basis.
5. Auxiliary line service is furnished at a rate for each line equal to the rate applicable for business individual line flat rate service for that exchange. Where the lines are arranged for rotary, banking or similar service, the rotary charge will apply as specified in A3.6.

a. Rates

(1) Rate Groups 1-6

| | Group | | | | | | USOC |
|--|---------|---------|---------|---------|---------|---------|------|
| | 1 | 2 | 3 | 4 | 5 | 6 | |
| (a) Per Auxiliary Line | \$28.55 | \$21.58 | \$22.72 | \$23.76 | \$24.75 | \$25.84 | 7FB |
| (b) Multi-line Exchange Access Line ¹ | 24.95 | 26.95 | 28.95 | 29.95 | 30.95 | 32.95 | 7MB |

(2) Rate Groups 7-12

| | Group | | | | | | USOC |
|--|---------|---------|---------|---------|---------|---------|------|
| | 7 | 8 | 9 | 10 | 11 | 12 | |
| (a) Per Auxiliary Line | \$26.72 | \$27.61 | \$28.43 | \$29.65 | \$29.68 | \$30.20 | 7FB |
| (b) Multi-line Exchange Access Line ¹ | 22.95 | 24.95 | 26.95 | 26.95 | 26.95 | 26.95 | 7MB |

E. Mobile Service Exchange Charge

1. See Section A17, for Rates.

F. Outgoing Only Service

1. See A3.24 for regulations and rates.

A3.4.3 Complete Choice Service

A. General

1. Complete Choice service provides the features specified following in conjunction with a flat rate access line. The access line includes Touch-Tone capability. (C)
2. The rate specified herein entitles a residential subscriber to access all exchange access lines in the subscriber's local calling area as defined in A3.3.1 of this Tariff.
3. The rate specified herein also entitles a residential subscriber to unlimited use of the services/features specified in the following sections of this Tariff.

A13.9 Custom Calling Services (C)

A13.19 Trunkline Services excluding Calling Number Delivery Blocking-Permanent (C)

A13.20 Customized Code Restrictions

A13.34 RingMaster Service (C)

A13.47 Message Waiting Indication

A13.10 Cheapest Out-of-Calling Services

A12.18.1.A Call Hold and Call Pickup only (PCS limitations do not apply)

A subscriber may select an unlimited number of compatible services or features from the sections listed above. All rules, regulations and limitations specified in the sections listed (except as indicated above) apply to the respective services/features requested as part of this service. Service changes specified in Section A4, of this Tariff do not apply for transactions involving only additions, deletions or changes to the services/features requested as part of this service.

Note 1: The Multi-line Exchange Access Line rate applies per line to subscribers with more than one exchange access line.

BELLSOUTH
TELECOMMUNICATIONS, INC.
FLORIDA

GENERAL SUBSCRIBER SERVICE TARIFF

Second Revised Page 36.1
Original First Revised Page 36.1

ISSUED: December 14, 2003
BY: Joseph P. Lasher, President - FL
Miami, Florida

EFFEKTIVE: January 9, 2004

A3. BASIC LOCAL EXCHANGE SERVICE

A3.4 Flat Rate Service (Cont'd)

A3.4.5 Optional Payment Plans for Multi-Line Flat Rate Service (Obsoleted. See Section A10.3) (7)

A3.4.6 PreferredPack Plan (8)

A. Description of Service (9)

1. The PreferredPack plan provides the features/services specified following and a flat rate access line with Touch-Tone capability. (9)

2. The rate specified herein entitles a residence subscriber to unlimited calling to all exchange access lines within the subscriber's local calling area as defined in A3.3 b. of this Tariff. (9)

3. The rate specified herein also entitles a residence subscriber to unlimited use of the features/services specified following from the listed sections of this Tariff: (9)

A13.4 Call Waiting Deluxe, Three-Way Calling, Call Forwarding Busy Line, Call Forwarding Don't Answer (with or without Ring Control), Star 98 Access (9)

A13.19 Caller ID-Deluxe, Call Return (9)

A13.47 Message Waiting Indication (9)

A15.70 Privacy Director service (9)

B. Regulations and Limitations of Service (9)

1. The PreferredPack plan is only available to residence subscribers. A residence subscriber may select any suitable combination of the features/services listed in A3.4.6.A.3. (9)

2. All rules, regulations and limitations specified in the Tariff sections listed in A3.4.6.A.3 apply to the respective features/services requested as part of this package. (9)

3. All features/services are furnished only from central offices that have been arranged to provide those services. The features/services are provided subject to availability of facilities. (9)

4. Service charges specified in Section A4. of this Tariff do not apply for transactions in which a subscriber only modifies an existing PreferredPack plan package by adding, deleting or changing features/services requested as part of the package. (9)

5. Existing customers of the PreferredPack plan can not take advantage of special promotions for the PreferredPack plan or any of the features/services specified in A3.4.6.A.3 preceding unless specifically allowed by the terms of the special promotion. (9)

6. The PreferredPack plan can be suspended as specified in A3.3.16 of this Tariff. During the period of suspension, the rate specified following applies. (9)

C. Rates and Charges (9)

1. The following monthly rates apply for the PreferredPack plan. (9)

| | Suspend Rate | Monthly Rate | USOC |
|-----------------------|-----------------|-----------------|-------|
| (a) Flat plan package | \$5.56 | \$24.95 | PAMAS |