

# ORIGINAL

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COMMISSION CLERK

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

2006 DEC 13 PM 4:09

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## CERTIFICATION OF PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES

FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

/X/ (1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

/X/ (2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

/X/ (3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and;

/X/ (a) Are filed not more than 90 days after the notice; or

// (b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

// (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

// (d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

// (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

- MP \_\_\_\_\_
- COM \_\_\_\_\_
- STR \_\_\_\_\_
- SCR \_\_\_\_\_
- 3CL \_\_\_\_\_
- DPC \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC   1
- OTH \_\_\_\_\_

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// (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

// (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

// (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

// (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

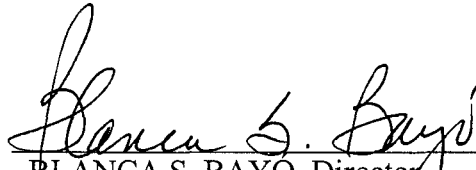
Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

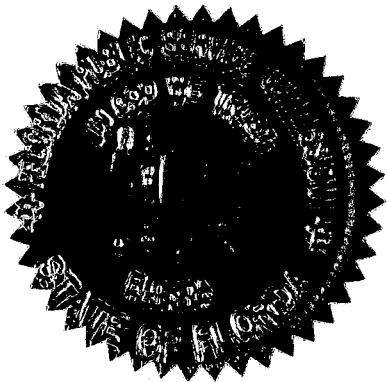
Rule No.

25-4.0665

Under the provision of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_  
(month) (day) (year)

  
\_\_\_\_\_  
BLANCA S. BAYO, Director  
Division of the Commission Clerk  
and Administrative Services



SMC

\_\_\_\_\_  
Number of Pages Certified

1 Rule 25-4.0665 Lifeline Service

2 (1) An eligible telecommunications carrier must provide 60 days written notice prior to the  
3 termination of Lifeline service. The notice of pending termination shall contain the telephone  
4 number at which the subscriber can obtain information about the subscriber's Lifeline service  
5 from the eligible telecommunications carrier. The notice shall also inform the subscriber of  
6 the availability, pursuant to Section 364.105, F.S., of discounted residential basic local  
7 telecommunications service.

8 (2) If a subscriber's Lifeline service is terminated and the subscriber subsequently presents  
9 proof of Lifeline eligibility, the eligible telecommunications carrier shall reinstate the  
10 subscriber's Lifeline service as soon as practicable, but no later than 60 days following receipt  
11 of proof of eligibility. Irrespective of the date on which the eligible telecommunications  
12 carrier reinstates the subscriber's Lifeline service, the subscriber's bill shall be credited for  
13 Lifeline service as of the date the eligible telecommunications carrier received the proof of  
14 continued Lifeline eligibility.

15 Specific Authority 350.127(2), 364.10(3)(j), FS

16 Law Implemented 364.01(4)(a), 364.10, 364.105, FS

17 History New

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SUMMARY OF RULE

Rule 25-4.0665 requires eligible telecommunications carriers to provide notice of the impending termination of Lifeline service; sets forth the information that must be contained in that notice; and sets forth a procedure for reinstating Lifeline service to those subscribers who provide proof of continued eligibility for Lifeline service subsequent to the termination of the Lifeline service.

SUMMARY OF HEARINGS ON THE RULE

A hearing was held on December 5, 2006, to address comments submitted by Cingular Wireless on the proposed rule. The Commission determined that changes to the rule were not necessary based on the comments.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Section 364.10(2)(e), Florida Statutes, requires eligible telecommunications carriers (ETCs) to notify a Lifeline subscriber of the impending termination of Lifeline service. The section requires that this notice be in the form of a letter separate from the subscriber's bill. The section states that the subscriber must be given 60 days to demonstrate continued eligibility.

Section 364.10(2)(e)3. specifically requires the Commission to establish procedures for such notification and termination. Moreover, Section 364.10(3)(j) states that the Commission "shall adopt rules to administer this section." This rule proposal addresses the Legislature's mandate to the Commission to adopt rules to administer this section.

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