

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rule)	DOCKET NO. 891129-TL
25-4.117, F.A.C., pertaining)	
to 800 service.)	ORDER NO. 22574
)	
)	ISSUED: 2/19/90

NOTICE OF ADOPTION OF RULE AMENDMENT

NOTICE is hereby given that the Commission, pursuant to Section 120.54, Florida Statutes, has adopted Rule 25-4.117, F.A.C., relating to 800 service without changes.

The rule amendment was filed with the Secretary of State on February 13, 1990, and will be effective on March 5, 1990. A copy of the relevant portions of the certification filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

By Direction of the Florida Public Service Commission,
this 19th day of FEBRUARY, 1990.


STEVE TRIBBLE, Director
Division of Records & Reporting

(S E A L)

DWS

3753G

DOCUMENT NUMBER-DATE

01589 FEB 19 1990

FPSC-RECORDS/REPORTING

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CERTIFICATION OF
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES
FILED WITH THE
DEPARTMENT OF STATE

I do hereby certify:

/x/ (1) The time limitations prescribed by paragraph 120.54(11)(a), F.S., have been complied with; and

/x/ (2) There is no administrative determination under section 120.54(4), 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(11)(b), F.S. They are filed not less than 28 days after the notice required by subsection 120.54(1), F.S., and;

/x/ (a) And 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 within 21 days after the adjournment of the final public hearing on the rule; or

/ (d) Are filed within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

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/ (e) Are filed within 21 days after the date the transcript was received by this agency.

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.

<u>Rule No.</u>	<u>Specific Rulemaking Authority</u>	<u>Law Being Implemented, Interpreted or Made Specific</u>
25-4.117	350.127(2), F.S.	364.03, F.S.

Under the provision of paragraph 120.54(12)(a), 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)

 Steve Tribble

 Director, Division of Records & Reporting
 Title

 Number of Pages Certified

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25-4.117 800 Service.

Telephone companies are prohibited from billing to or collecting from the originating caller any charges for calls to an 800 service subscriber.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.03, F.S.

History: New.

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SUMMARY OF RULE

The proposed rule prohibits telephone companies from billing to, or collecting from originating callers any charges for calls placed to an 800 service subscriber. Currently, calls to 800 services are free to originating callers. Adoption of this rule will ensure this practice continues.

SUMMARY OF HEARINGS ON THE RULE

No hearing or request for comments were requested.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Several months ago, the Commission became aware of an unregulated company that was conducting a marketing test for a promotion that could have resulted in callers to an 800 service being required to pay for the call. Calls to 800 services have traditionally been free to the originating caller. To ensure that

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practice continues, the Commission has proposed the adoption of Rule 25-4.117. This rule would prohibit telephone companies from billing to, or collecting from the originating caller any charges for calls to an 800 service subscriber.