

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of local)	DOCKET NO. 850310-TL
exchange bill and keep)	ORDER NO. 22587
)	ISSUED: 2-21-90

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

ORDER APPROVING LEC TOLL TARIFFS

BY THE COMMISSION:

By Order No. 17743 the Commission ordered the implementation of bill and keep of intraLATA local exchange company (LEC) toll revenues. The plan that was chosen as the vehicle for LEC toll bill and keep is the Modified Access Based Compensation Plan (MABC Plan). Under this plan, each LEC is a primary carrier for all traffic originating in its own territory. A LEC bills and keeps the revenues from all intraLATA MTS and WATS calls that it originates. The LEC then pays terminating access charges to the LEC that terminates each call. In addition, it pays toll switching and intertoll trunking charges to those LECs that provide any intermediate transport.

Preliminary tariffs implementing LEC toll bill and keep were approved by Order No. 18640. At that time, the LECs indicated that certain desired tariff provisions such as testing, ordering procedures, installation and special routing could not be implemented by January 1, 1988, the date LEC toll bill and keep was to begin. As a result, the elements of the excluded provisions were to be covered by interLEC agreements. The LECs committed that, as procedures were worked out, they would be filed and incorporated into the access tariffs.

After more than one year from the implementation of LEC toll bill and keep, the LECs failed to demonstrate any significant progress in developing the additional tariff elements. Accordingly, by Order No. 21090, issued April 21, 1989, we directed Southern Bell and United to file the

DOCUMENT NUMBER-DATE

01672 FEB 21 1990

FPSC-RECORDS/REPORTING

ORDER NO. 22587
DOCKET NO. 850310-TL
PAGE 2

revisions to their respective access tariffs. The companies filed tariffs on May 19, 1989. By Order No. 21670, we suspended the revisions to allow for further investigation. The revisions as initially filed either did not include or did not sufficiently explicate provisions earlier set forth in Order No. 18640 such as ordering, rating and billing of access service, switched access, special access, billing and collection and directory assistance.

In the course of our review process, the companies have provided additions or clarifications to clearly delineate the provisions associated with the bill and keep of LEC toll. The majority of the items at issue are jointly planned. The companies have added a statement to their respective tariffs that indicates that these items are jointly planned by the participating LECs based on the total usage of each LEC. It is impractical for the companies to include their intercompany agreements in the tariff and, therefore, the reference to the joint planning sessions appears to be appropriate.

The companies have also indicated what sections of the access tariff apply when another LEC makes a specific request. In addition, the tariff also includes a clarifying statement indicating that intermediate companies include those sharing in joint originating or terminating transport, toll switching and/or intertoll trunking when direct trunking is not utilized. With the additional revisions added by Southern Bell and United, we find that the LEC toll tariffs should be approved. These provisions shall be effective on February 6, 1990.

Southern Bell and United have raised additional issues that were not part of the MABC plan. The Companies argue that these issues should be addressed in the future. These issues involve directory assistance and operator services. We will not address these issues now. Our Staff will monitor these items for the necessity for future action.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Southern Bell Telephone and Telegraph Company's and United Telephone Company of Florida's revisions to their respective access service tariffs for the completion of intraLATA interLEC MTS and WATS calls is approved as set forth in the body of this Order. It is further

ORDER NO. 22587
DOCKET NO. 850310-TL
PAGE 3

ORDERED that this docket be and the same is hereby finally closed.

By ORDER of the Florida Public Service Commission,
this 21st day of FEBRUARY, 1990.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

TH

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.