

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

|                                |   |                      |
|--------------------------------|---|----------------------|
| IN RE: Amendment of Rules      | ) | DOCKET NO. 891128-TI |
| 25-4.079 and 25-4.115, F.A.C., | ) |                      |
| pertaining to Hearing/Speech   | ) | ORDER NO. 22730      |
| Impaired Persons and Directory | ) |                      |
| Assistance.                    | ) | ISSUED: 3-26-90      |
|                                | ) |                      |

NOTICE OF RULEMAKING

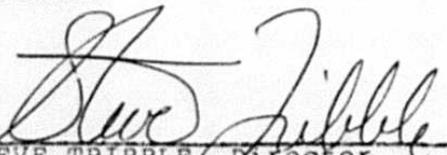
NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to amend Rules 25-4.079 and 25-4.115, F.A.C., relating to the provision of telephone service to hearing/speech impaired persons and handicapped persons.

The attached Notice of Rulemaking will appear in the March 30, 1990, edition of the Florida Administrative Weekly. If requested, a hearing will be held at the following time and place:

9:30 a.m., Wednesday, May 16, 1990  
 Room 122, Fletcher Building  
 101 East Gaines Street  
 Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rule(s) must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, FL, 32399, no later than April 20, 1990.

By Direction of the Florida Public Service Commission,  
 this 26th day of MARCH, 1990.

  
 STEVE TRIBBLE, Director  
 Division of Records & Reporting

( S E A L )

3904G

DWS

DOCUMENT NUMBER-DATE

02663 MAR 26 1990

PSC-RECORDS/REPORTING

ORDER NO. 22730  
 DOCKET NO. 891128-TI  
 PAGE 2

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 891128-TI

| RULE TITLE:                     | RULES NOS.: |
|---------------------------------|-------------|
| Hearing/Speech Impaired Persons | 25-4.079    |
| Directory Assistance            | 25-4.115    |

PURPOSE AND EFFECT: The proposed amendments to the affected rules are designed to address the intrastate toll calling needs of hearing and speech impaired persons and handicapped persons. The effect of amending Rule 25-4.079, Florida Administrative Code, would be to require minor interexchange carriers (IXCs) to offer to hearing and speech impaired persons the same intrastate toll message rates currently offered by major IXCs. The effect of amending Rule 25-4.115, Florida Administrative Code, would be to prohibit charges for directory assistance calls outside a caller's Home Numbering Plan Area when the call originates from lines or trunks serving handicapped persons. Rule 25-4.115 currently only provides for free directory assistance calls within a caller's Home Numbering Plan Area or local calling area when the request for directory assistance originates from lines or trunks serving handicapped persons.

SUMMARY: The proposed amendment to Rule 25-4.079, Florida Administrative Code, would require minor interexchange carriers (IXCs) to offer the same discounted intrastate toll message rates to persons using telecommunications devices for the deaf as major IXCs are currently required to offer. The proposed amendment to

ORDER NO. 22730  
DOCKET NO. 891128-TI  
PAGE 3

Rule 25-4.115, Florida Administrative Code, would prohibit charges for directory assistance calls outside a caller's Home Numbering Plan Area when the call originates from lines or trunks serving handicapped persons.

RULEMAKING AUTHORITY: 350.127, 350.127(2), F.S.

LAW IMPLEMENTED: 364.03, 364.04, F.S.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT OF THESE RULES: The amendments to Rule 25-4.079, F.A.C., will benefit users of Telecommunications Devices for the Deaf (TDDs) by allowing those users who subscribe to long distance service from minor interexchange carriers (IXCs) to receive discounted toll message rates identical to those discounts currently offered to TDD users by major IXCs. The total benefit to be derived by these individuals depends on the number and length of toll calls made.

The amendment to Rule 25-4.115, F.A.C., would benefit handicapped persons by expanding their ability to receive free directory assistance. Currently, there is no charge for directory assistance in a caller's local calling area or Home Numbering Plan Area (HNPA) when the call originates from lines or trunks serving handicapped persons. The proposed changes to the rule would prohibit charges for directory assistance outside a caller's HNPA when the call originates from lines or trunks serving handicapped persons. The benefit to each eligible caller would depend on the number of long distance directory assistance calls made and the IXC tariffed rate for those calls. In the long run, an IXC's general

ORDER NO. 22730  
DOCKET NO. 391128-TI  
PAGE 4

body of ratepayers may enjoy a slight decrease in rates as a result of this discount.

Amendment of Rule 25-4.079, F.A.C., would have an economic impact upon minor IXC's which, at this time, are not offering discount toll message rates to TDD users. The Florida Council for Hearing and Speech Impaired Services indicated that approximately 3,400 TDD machines have been distributed to hearing and speech impaired persons by the bureau to date. Although the number of these customers which are customers of minor IXC's has not been quantified, minor IXC's account for approximately 32 percent of the interexchange market.

Minor IXC's which responded to the Commission's cost survey indicated little expected economic impact unless reprogramming for billing purposes would be required. Follow-up calls to certain minor IXC's confirmed that the expected impact would be insignificant, and indicated that increased costs could be attributed to the special handling of TDD user's bills. Additionally, minor IXC's would experience some lost revenues as a result of discounting their intrastate toll rates for TDD users.

Revision of Rule 25-4.115 would reduce revenues for all IXC's as a result of requiring that no charge for directory assistance outside a caller's HNPA be imposed upon calls made by handicapped persons. The current practice is for an IXC to connect a caller requesting long distance directory assistance to the local exchange company (LEC) in the city outside the caller's HNPA, pay the LEC

ORDER NO. 22730  
DOCKET NO. 891128-TI  
PAGE 5

for the directory assistance, and bill its customer for directory assistance based on its general services tariff. The rule amendment would cause IXCs to lose revenues from placing such intrastate directory assistance calls for the handicapped inasmuch as the LEC would still bill the IXC for a directory assistance call, but the IXC could not bill the handicapped customer.

In the short term, shareholders of affected companies would bear the costs of discounted toll calls for TDD users and free long distance directory assistance for handicapped persons. In the long term, some of the costs could be shifted to IXC customers who would experience slightly higher rates to the extent that the competitive environment allows IXCs to pass the costs onto the majority of customers. However, the number of eligible users is small and, therefore, so would be the costs.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULES MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., May 16, 1990

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THESE RULES AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE RULES ARE:

25-4.079 Hearing/Speech Impaired Persons.

(1) The telephone directory published by each local exchange telephone company (LEC) shall:

(a) list, with other emergency numbers at the beginning of the directory, Telecommunications Devices for the Deaf (TDD) numbers for emergency services, which shall be denoted by the universal symbol for the hearing/speech impaired, i.e., a picture of an ear with a slash across it;

(b) list the company's business office TDD number, which shall also be denoted by said universal symbol, for communicating with hearing/speech impaired persons;

(c) at the option of and without charge to TDD users, have a special notation by each TDD user's number indicating TDD or TDD plus voice capability;

(d) at the option of and without charge to hearing/speech impaired customers, not list the number of any hearing/speech impaired customer who requests that it not be published.

(2) Each LEC shall provide directory and operator assistance to TDD users. The numbers for these services shall be listed in the front of the directory and denoted by the universal symbol.

(3) Each LEC shall compile informational literature about the services it makes available to hearing/speech impaired persons and shall maintain this literature for public inspection in the company's business office. Each company shall send this literature at no charge to anyone requesting it and shall include this

ORDER NO. 22730  
DOCKET NO. 391123-TI  
PAGE 7

literature or a summary of it, once a year, in the company's informational mailings.

(4) Intrastate toll message rates for TDD users shall be evening rates for daytime calls and night rates for evening and night calls. These discounts shall be offered by all major interexchange carriers and LECs.

(5) Each LEC shall, pursuant to tariff, provide specialized customer premises equipment (CPE), for lease or sale, to hearing/speech impaired persons. This specialized CPE shall be priced to cover fully allocated costs without inclusion of a rate of return on investment component. Each company shall provide at least one type of each of the following categories of specialized CPE:

- (a) audible ring signalers;
- (b) visual ring signalers;
- (c) TDDs;
- (d) volume control handsets.

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

Law Implemented: 364.03, 364.04, F.S.

History: New 4/5/88.

25-4.115 Directory Assistance.

(1) Directory assistance service provided by any telephone company shall be subject to the following:

(a) Charges for directory assistance shall be reflected in tariffs filed with the Commission and shall apply to the end-user.

ORDER NO. 22730  
DOCKET NO. 891128-TI  
PAGE 8

(b) The tariff shall state the number of telephone numbers that may be requested by a customer per directory assistance call.

(2) Charges for calls within a local calling area or within a customer's Home Numbering Plan Area (HNPA) shall be at rates prescribed in the general service tariff of the local exchange company originating the call and shall be subject to the following:

(a) There shall be no charge for calls from lines or trunks serving handicapped persons.

(b) The same charge shall apply for calls within a local calling area and calls within an HNPA.

(c) The tariff shall state the number of calls per billing month per individual line or trunk to the number designated for local directory assistance (i.e., 411, 311 or 611) for which no charges will apply. The local exchange company shall charge for each local directory assistance call in excess of this allowance. The charge shall not apply for calls from pay stations.

(d) The local exchange company shall apply the charge for each call to the number designated for long distance directory assistance within the customer's HNPA (i.e., 1+555-1212).

(3) Charges for intrastate calls to directory assistance outside of the caller's HNPA shall be at rates prescribed in the general services tariff of the interexchange companies: and shall be subject to the following:

(a) There shall be no charge for calls from lines or trunks serving handicapped persons.

ORDER NO. 22730  
DOCKET NO. 891128-TI  
PAGE 9

Specific Authority: 350.127, F.S.

Law Implemented: 364.03, 364.04, F.S.

History: New 6/12/86.

NAME OF PERSON ORIGINATING PROPOSED RULES: Monique Cheek, Division  
of Communications

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULES:  
Florida Public Service Commission

DATE PROPOSED RULES APPROVED: March 6, 1990

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.