

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing by)	DOCKET NO. 891194-TL
SOUTHERN BELL TELEPHONE AND TELEGRAPH)	
COMPANY clarifying when a non-published)	ORDER NO. 23370
number can be disclosed and introducing)	
Caller ID to TouchStar Service)	ISSUED: 8-20-90
)	

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 FRANK S. MESSERSMITH

ORDER GRANTING HEARING REQUESTS

BY THE COMMISSION:

On September 29, 1989, Southern Bell Telephone and Telegraph Company (Southern Bell) filed two proposed tariff revisions: one adds Caller ID to its TouchStar features (T-89-507); the other clarifies the circumstances under which a non-published telephone number can be disclosed (T-89-506). At the time of these filings, we had several concerns about the appropriateness of these proposals. In response to our concerns, Southern Bell waived the statutory tariff suspension deadline for both filings to allow our staff additional time to research the issues raised by these proposals.

Three orders have been issued thus far regarding these two tariff revisions: Order No 22397, issued January 10, 1990; Order No. 22505, issued February 7, 1990; and Order No. 22704, issued March 19, 1990. By these actions, we found Caller ID to be in the public interest but have not yet determined an effective date for the tariffs.

On June 7, 1990, the Office of Public Counsel (OPC) filed a Request for Hearings (Request) on these tariff proposals. OPC's Request asks for both customer hearings in the territory served by Southern Bell, as well as a formal evidentiary proceeding under Section 120.57(1), Florida Statutes. On June 19, 1990, Southern Bell filed its Response to Public Counsel's Request for Hearings (Response). Southern Bell's Response urges us to deny OPC's Request.

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Prior to our consideration of OPC's Request and Southern Bell's Response at our July 17, 1990, Agenda Conference, a number of other pleadings were filed in this docket. Permission to intervene has been requested by and granted to the following entities: the Florida Medical Association (FMA); the Florida Police Chiefs Association (FPCA); and the Florida Department of Law Enforcement (FDLE). Requests for Hearing have been filed by: FMA; FPCA; FDLE; and the Attorney General of the State of Florida. Additionally, the Office of Statewide Prosecution filed a Response to OPC's Request.

At our July 17, 1990, Agenda Conference, we considered the question of whether it was appropriate to hold hearings in this matter, as well as what action, if any, should be taken on the tariffs pending the outcome of any hearings. To that end, we heard from all in attendance who wished to address these questions, without regard to whether they were parties or were seeking party status in this docket. The overwhelming view of those who spoke was that hearings should be convened before any further action is taken in this docket. In light of the strong sentiment expressed in this regard, Southern Bell's representative withdrew the Company's June 19th Response which had opposed granting the hearings requested by OPC. Accordingly, we find it appropriate to grant OPC's Request and to schedule customer hearings in the territory served by Southern Bell, as well as a Section 120.57(1), Florida Statutes, hearing on the tariffs. Further action on these tariffs shall be held in abeyance, pending the outcome of these hearings.

Based on the forgoing, it is

ORDERED by the Florida Public Service Commission that the Request for Hearings filed on June 7, 1990, by the Office of Public Counsel is hereby granted to the extent outlined in the body of this Order. It is further

ORDERED that the Response to Public Counsel's Request for Hearings filed on June 19, 1990, by Southern Bell Telephone and Telegraph Company has been withdrawn as set forth herein. It is further

ORDERED that customer hearings shall be scheduled in this docket for the reasons set forth in the body of this Order. It is further

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ORDERED that a Section 120.57(1), Florida Statutes, hearing shall be scheduled in this docket for the reasons set forth herein.

By ORDER of the Florida Public Service Commission, this 20th day of AUGUST, 1990.



STEVE TRIBBLE, Director
Division of Records and Reporting

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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

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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.