

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing to enhance )	DOCKET NO. 900753-TL
Reach Out Florida by adding two new )	
options and extending the night/weekend )	ORDER NO. 23670
time period, filed by AT&T COMMUNICATIONS )	
OF THE SOUTHERN STATES, INC. )	ISSUED: 10-25-90
)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 FRANK S. MESSERSMITH

ORDER APPROVING TARIFF PROPOSAL

BY THE COMMISSION:

On August 31, 1990, AT&T Communications of the Southern States, Inc. (ATT-C) filed a proposed tariff to enhance its Reach Out Florida Optional Calling Plan by adding two new options and expanding the Night Weekend time period to begin at 10 p.m. rather than 11 p.m. Furthermore, the proposed tariff called for waiver of the non-recurring initiation of service charge of \$14 associated with the Reach Out Florida offering for a promotional period beginning October 2, 1990 and continuing through December 31, 1990.

ATT-C currently offers Reach Out Florida as a billing program offering the ratepayer access to one hour blocks of night period intrastate toll calling (First hour \$7.70 and each additional hour \$7.35). In addition, calls made during the evening period receive a 15% discount off ATT-C's MTS rates as specified in A11.3.1.I.1 of ATT-C's tariff.

Under the proposed tariff, ATT-C's Reach Out Florida Optional Calling Plan will provide two additional service options by which Florida residence consumers could choose the options that best meets their calling patterns. The two new options are as follows:

1. Option B, the 24 hour plan, provides ATT-C's Basic Plan with an additional 5 percent off the Day DDD rate schedule. Under Option B, the rate schedule is as follows:

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- a. Initial hour of Night period use, per month \$8.25
  - b. Additional hour of Night period use, each \$7.35
  - c. An additional 5% discount will be applied to Day Usage and additional 15% discount will be applied to Evening Usage.
2. Option C, the 1/2 hour plan, a customer may, for a fixed monthly rate, use up to a one half hour of Night/Weekend period toll calling, at no additional charge. In addition, calls made during the Evening period will receive a 10 percent discount off the DDD evening rate schedule. The rate schedule for Option C is as follows:
- a. Initial half-hour of Night period use, per month \$4.15
  - b. Additional minute of Night period use, each \$0.01250
  - c. An additional 10% discount will be applied to Evening usage.

The enhancements to Reach Out Florida are in response to continued competitive pressure for residence telecommunications service within the State of Florida. The proposed rates for each option exceed the cost of providing the service. Approval of this tariff filing will effect ATT-C's net revenue by an estimated revenue reduction of \$956,279. Upon consideration, we find it appropriate to approve ATT-C's enhancements to its Reach Out Florida Service. Our approval of the rate schedules associated with this tariff proposal is consistent with our decision to allow ATT-C to react to competitive changes in the telecommunications market. See Order No. 19758.

ATT-C also requests that the Commission waive Commission Rule 25-24.485(1)(i), in order to extend the promotion for 91 days, which is one day over the Commission rule of 90 days. Rule 25-24.485(1)(i), Florida Administrative Code, states that companies shall charge only the rates contained in their tariff. If a company desires to charge rates or charges at a lower level than is contained in an existing tariff and wishes to charge those lower rates only temporarily and afterwards return to the existing tariff level, it may, instead of filing two tariff revisions to decrease and then later increase the rate, file a single tariff

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change reflecting the conditions of the temporary tariff change. Such tariff provision shall state the specific tariff charges to be reduced, the temporary level of charges, a description of the customers who would be eligible for the decrease, the conditions under which the customer would receive a decrease, and the beginning and ending dates of the reduction. Temporary reduction should not result in any individual customer being able to receive temporary reduced rates for a given service offering for more than 90 days in any twelve month period.

Upon consideration, we find it appropriate to approve ATT-C's request for promotional waiver of nonrecurring charges. Special promotions are designed to increase the number of customers subscribing to the particular service offering. Since this appears to be a service offering that will offer residential customers additional options that best meet their calling patterns, this tariff filing appears to be appropriate. Further, there is no evidence that waiver of this rule will provide ATT-C any competitive advantages over its competitors. The waiver will expire on December 31, 1990.

Therefore, based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the tariff proposal by ATT-C Communications of the Southern States, Inc. to enhance the Reach Out Florida Offering by adding two new options and extending the night weekend time period is hereby approved. It is further

ORDERED that ATT-C's tariff filing proposing to waive the non-recurring initiation of service charge of \$14 associated with the Reach Out Florida offering for a promotional period beginning October 2, 1990 and continuing through December 31, 1990, is hereby approved. It is further

ORDERED that this docket is closed if no protest is filed with the appropriate time as set forth below.

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By ORDER of the Florida Public Service Commission, this  
25th day of OCTOBER, 1990.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on November 15, 1990.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by 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 of the date this order becomes final, 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.