

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Tariff Revision to	) DOCKET NO.	900887-TL
Establish Rates for Customized Calling	) ORDER NO.	23901
Restrictions by INDIANTOWN TELEPHONE	) ISSUED:	12-19-90
SYSTEM, INC.	)	
	)	
	)	
	)	

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The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman  
 BETTY EASLEY  
 GERALD L. GUNTER  
 FRANK S. MESSERSMITH

ORDER APPROVING TARIFF FILING

BY THE COMMISSION:

On September 7, 1990 Indiantown Telephone System, Inc. (Indiantown or the Company) filed a tariff to establish rates for Customized Calling Restrictions. Indiantown has waived the 60 day statutory period on the tariff filing.

Toll Blocking is a service that allows a customer to prevent calls subject to toll charges from being made from or accepted on the customer's line. Indiantown has been providing Toll Blocking at a charge of \$3.50 per month since June 1975 even though no tariff provisions were filed or approved by this Commission. The company has collected \$1,767.50 in revenue from the twenty-two customers who subscribe to Toll Blocking. The Company cannot explain the oversight, but they are now proposing to tariff Toll Blocking. The Company requests that the monies not be refunded to the customers since the service they paid for was provided.

In addition to Toll Blocking, which will enable a subscriber to block DDD 1+ calls, operator 0- and operation 0+ calls, the Company is offering two other Customized Calling Restrictions (CCR). One will block both 900 and 976 or either 900 or 976 calls from being placed over a line. The other option, which is Special Number Blocking, will block transmission of a specified number from the line. We note that the rates proposed for these services are comparable to those charged by other companies for similar services.

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As stated earlier, Company has been providing Toll Blocking at a monthly charge of \$3.50. The proposed rates will be a decrease of \$1.50 for the twelve residential customers and a \$.50 decrease to the business customers unless they have a PBX. If the business customer has a PBX, the monthly rate will increase by \$2.00. Both Toll Block and Special Number Block are billed on a monthly basis and have no associated non-recurring charge. 976/900 Blocking is billed on non-recurring basis.

Even though Indiantown has been providing Toll Blocking since June 1975 without a tariff, the customers who subscribed to Toll Blocking received the service they paid for at a fair and reasonable rate. For this reason, we find it appropriate to allow the company to retain the revenues accrued while the service was untariffed. Furthermore, we find no reason to require the Company to show cause why it should not be fined.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that tariff filing by Indiantown Telephone System, Inc. offering Toll Blocking and other Customized Calling Restrictions as described in the body of this Order is hereby approved. It is further

ORDERED that this docket be closed at the end of the protest period unless a protest is filed pursuant to the requirements described below. It is further

ORDERED that any increase in revenues be held subject to refund if a protest is filed pursuant to the requirements described below.

By ORDER of the Florida Public Service Commission this 19th  
day of DECEMBER, 1990.

STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )  
JKA

by: Karp J. J. J.  
Chief, Bureau of Records

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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 January 10, 1991.

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

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.