

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing to	)	DOCKET NO.	910977-TL
eliminate the provision of a late	)	ORDER NO.	25301
payment charge by ST. JOSEPH TELEPHONE	)	ISSUED:	11/05/91
AND TELEGRAPH COMPANY	)		
	)		

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 SUSAN F. CLARK  
 J. TERRY DEASON  
 BETTY EASLEY  
 MICHAEL McK. WILSON

ORDER APPROVING TARIFF

BY THE COMMISSION:

On August 23, 1991, St. Joseph Telephone and Telegraph Company (St. Joe or the Company) filed a revision to its General Services Subscriber Tariff proposing to eliminate its late payment charge. Currently, St. Joe assesses a customer a late payment charge of 1.5% when the previous month's bill has not been paid in full prior to the next billing date. The 1.5% charge is applied to the total unpaid amount carried forward and is included in the total amount due on the current bill.

By Order No. 24991, issued August 29, 1991 (the Order), we clarified that the elimination of the late payment charge exemption for counties and municipalities, which we had approved by Order No. 24327, issued April 4, 1991, applies to all local exchange companies that assess a late payment charge. The Order stated that local government entities are subject to the late payment charge in accordance with the provision of the Florida Prompt Payment Act, Sections 218.70-218.79, Florida Statutes. The Florida Prompt Payment Act requires a 1% late payment for counties and municipalities. Thus, St. Joe would be billing counties and municipalities a 1% late payment charge, while all other customers are billed a 1.5% late payment charge. The Company wishes to eliminate its late payment charge because it is unable to update its billing system to accommodate the different late payment charges.

We believe that the Company's request to eliminate the late payment charge on delinquent accounts is reasonable under the circumstances. Therefore, we hereby approve the tariff as filed.

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However, if the Company wishes to include a late payment charge at a later date, the proposal shall include a 1% late payment charge for counties and municipalities.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that St. Joseph Telephone and Telegraph Company's tariff filing to eliminate the late payment charge is hereby approved, effective October 22, 1991. It is further

ORDERED that if a protest is filed in accordance with the requirement set forth below, the tariff shall remain in effect pending resolution of the protest. It is further

ORDERED that if no protest is filed in accordance with the requirement set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 5th  
day of NOVEMBER, 1991.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

by: Kay DeLeon  
Chief, Bureau of Records

PAK

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

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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 11/26/91

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.