

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of) DOCKET NO. 920009-TL
name change from SOUTHERN BELL)
TELEPHONE AND TELEGRAPH COMPANY) ORDER NO. PSC-92-0079-FOF-TL
to BELL SOUTH TELECOMMUNICATIONS,)
INC. d/b/a SOUTHERN BELL) ISSUED: 3/19/92
TELEPHONE AND TELEGRAPH COMPANY,)
petition for waiver of Rule)
25-9.044(3), F.A.C., and adoption)
of rates, rules, classifications)
and regulations.)
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
SUSAN F. CLARK
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING NAME CHANGE

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Effective midnight on December 31, 1991, Southern Bell Telephone and Telegraph Company (Southern Bell) changed its legal name to BellSouth Telecommunications, Inc. (BST or the Company). The change of name occurred concurrently with the merger of South Central Bell Telephone Company and BellSouth Services, Inc. with and into Southern Bell. The Company will continue to do business in Florida under the name of Southern Bell Telephone and Telegraph Company.

In accordance with Rule 25-9.044(1), Florida Administrative Code, the Company filed a notice with this Commission adopting, ratifying, and making its own all rates, rules, classification and regulations of Southern Bell.

The name change is a result of corporate restructuring and did not involve any change of ownership. Any changes in capital structure will be addressed in the context of the pending rate case. Upon review, we approve the name change.

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On January 22, 1992, Southern Bell filed a Petition for Waiver of Rule 25-9.044(3), Florida Administrative Code. The Rule at issue provides that when a company changes its name it "shall issue and file in its own name rate schedules and regulations on additional or revised sheets of its existing tariff." Since BellSouth Telecommunications, Inc. will continue to do business as Southern Bell Telephone and Telegraph Company, the Company argues that reissuance of the existing tariff would likely cause confusion among customers and entail administrative costs and burdens which will not be needed until such time as telephone service is provided under the name BellSouth Telecommunications, Inc.

On February 14, 1992, the Company amended its January 22, 1992, Waiver Request and sought a declaratory statement on the issue of whether placing stickers on its current tariff to reflect the name change and, on a going forward basis, filing future tariff pages to reflect that BellSouth Telecommunications, Inc. is doing business as Southern Bell Telephone and Telegraph Company complies with the Rule. Should the Commission find that the sticker solution is inappropriate, the Company asks that the Rule be waived. While the Amended Petition requests a declaratory statement, counsel for the Company has indicated that a separate declaratory statement is not necessary. Counsel is not opposed to having the issue addressed in an order regarding the name change.

Upon review, we find that placing stickers on the existing tariff to reflect that BellSouth Telecommunications, Inc. is doing business as Southern Bell Telephone and Telegraph Company and, on a going forward basis, having the Company file future tariff pages which reflect the same, represents substantial compliance with Rule 25-9.044(3), Florida Administrative Code.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Company's request to change its name on Certificate No. 8 from Southern Bell Telephone and Telegraph Company to BellSouth Telecommunications, Inc. d/b/a/ Southern Bell Telephone and Telegraph Company be approved. It is further

ORDERED that placing stickers which reflect the name change on the Company's current tariff pages and, going forward, filing future pages under the new name complies with Rule 25-9.044(3), Florida Administrative Code. It is further

ORDERED that if no timely protest to this proposed agency action is received, this docket shall be closed.

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By ORDER of the Florida Public Service Commission, this 19th
day of MARCH, 1992.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

by: Kay Feigen
Chief, Bureau of Records

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 action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), 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 4/9/92.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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.

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If this order becomes final and effective 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 wastewater 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 effective date 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.