

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for Temporary) DOCKET NO. 911116-TP
Waiver of Rule 25-4.110,)
F.A.C., Pertaining To) ORDER NO. PSC-93-0207-FOF-TP
Customer Billing.)
ISSUED: 02/09/93

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON
THOMAS M. BEARD
SUSAN F. CLARK
LUIS J. LAUREDO
JULIA JOHNSON

ORDER GRANTING REQUEST FOR TEMPORARY WAIVER OF RULE 25-4.110,
F.A.C., PERTAINING TO CUSTOMER BILLING

Background

On October 8, 1991, the Commission reached a consensus in favor of adoption of the Pay Per Call rules, and so ruled from the bench. The rules governing the provision of 900 Pay Per Call became effective November 11, 1991.

Order No. PSC-92-0238-FOF-TL issued April 23, 1992, granted GTE Florida an extension of time through December 1, 1992, of Rules 25-4.110(9) and (10)(b)2. F.A.C.

On November 25, 1992, GTE Florida filed a Motion for Extension of Time until January 1, 1993, to comply with Rule 25-4.110(9) and (10)(b)2.

On December 29, 1992, GTE Florida filed an Amended Motion for Extension of Time until February 16, 1993, to comply with Rule 25-4.110(9) and (10)(b)2.

The Company states it is currently in the testing phase of its billing system modification. It contends that this function is necessary to ensure that the numerous billing tables have been established correctly. Although GTEFL had expected to have the modifications in place by December 1, 1992, the testing process

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revealed unexpected system problems. According to the Company, the extension until February 16, 1993, is necessary to correct these problems and then retest to ensure that Customer Accounting and Customer Operations are satisfied with the results. Currently, GTEFL is in compliance with the majority of the Pay Per Call rules with the exception of Rule 25-4.110 (9) and (10)(b)2.

Section (9) requires the Company to apply partial payment of an end user/customer bill first towards satisfying any unpaid regulated charges and the remaining portion of the payment (if any) shall be applied to nonregulated charges.

Section (10)(b)2. requires an 18 second billing grace period in which the customer can disconnect the call without incurring a charge. This section also allows the end user to affirmatively bypass the preamble to a Pay Per Call message. The waiver of the 18 second preamble only applies to 976 providers, since the Company does not rate 900 calls (900 service is rated by the 900 carrier and not the local exchange company).

GTEFL states that it will work diligently to implement the necessary changes as expeditiously as possible, regardless of the time granted.

Discussion

We approve GTEFL's Motion for Extension of Time to implement Rule 25-4.110 (9) and (10)(b)2. until February 16, 1993. As directed in Order No. PSC--92-0238-FOF-TL, the Company should continue to send a monthly bill stuffer that includes information on the 900/976 rules regarding the 18 second grace period and the partial payment requirement until GTEFL is in compliance with the Pay Per Call rules. The bill stuffer should inform the customer that if they are billed for a 976 call which was terminated prior to the 18 second grace period that they are entitled to a credit. In addition, the bill stuffer should explain that partial payments are to be applied first to regulated charges and if the customer gets disconnected due to the Company's failure to apply the payment properly, the customer should be provided information on how and whom to contact at the Company.


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In view of the above, it is

ORDERED by the Florida Public Service Commission that the request of GTEFL for temporary waiver of Rule 25-4.110, F.A.C., pertaining to customer billing is granted. It is further

ORDERED that the docket be closed.

By ORDER of the Florida Public Service Commission this 9th day of February, 1993.



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.

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 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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.