

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of ) DOCKET NO. 930143-TL  
tariff to obsolete Public ) ORDER NO. PSC-93-0579-AS-TL  
Announcement Services by ) ISSUED: April 14, 1993  
BELLSOUTH TELECOMMUNICATIONS, )  
INC. d/b/a SOUTHERN BELL )  
TELEPHONE AND TELEGRAPH COMPANY. )

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER APPROVING SETTLEMENT

BY THE COMMISSION:

On December 4, 1992, Ryder Communications, Inc. (Ryder) filed a complaint with our Consumer Affairs Division alleging that BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) refused to provide ESSX service for use in delivering time and temperature. Ryder had requested 62 ESSX station lines to replace its existing public announcement service (PAS) trunks in Miami. By utilizing ESSX service Ryder hoped to avoid the usage rates associated with PAS trunks. Ryder estimated that it would save approximately \$2,000 per month using ESSX service for its time and temperature offering. Southern Bell's position is that Ryder was properly served by the valid PAS tariff. Southern Bell subsequently filed a tariff to obsolete PAS.

At our March 30, 1993, Agenda Conference, the parties agreed that a refund of the difference plus interest, dating back to April 1, 1992, between what Ryder paid for public announcement trunks and what it would have paid for ESSX was appropriate in settlement of the differences between the parties. The Company will provide the Commission with a refund report showing the amount of Ryder's refund and how it was calculated. The refund will be completed by April 30, 1993.

It is, therefore,

DOCUMENT NUMBER-DATE

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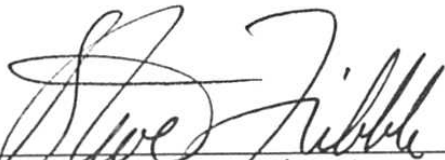
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ORDERED by the Florida Public Service Commission that the settlement agreed to by the parties is approved as set forth in the body of this Order. It is further

ORDERED that this docket shall be closed at the end of the PAA and tariff protest periods assuming no protest is filed to the separately issued tariff order and no timely protest is filed to this proposed agency action order.

By ORDER of the Florida Public Service Commission this 14th day of April, 1993.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

CWM

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

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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 May 5, 1993.

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.

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.