

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Adoption of Rules 25-) DOCKET NO. 920749-TP
24.600, 25-24.610, 25-24.620,) ORDER NO. PSC-93-1238-FOF-TP
25-24.630, F.A.C., pertaining to) ISSUED: August 25, 1993
telephone service provided by)
operator service providers.)
_____)

NOTICE OF ADOPTION OF RULES

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has adopted Rules 25-24.600, 25-24.610, 25-24.620, 25-24.630, F.A.C., relating to operator services providers with changes.

The rule was filed with the Department of State on August 17, 1993, and will be effective on September 6, 1993. A copy of the relevant portions of the certification filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service Commission this 25th day of August, 1993.



STEVE TRYBBLE, Director
Division of Records & Reporting

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RULES OF THE FLORIDA PUBLIC SERVICE COMMISSION

CHAPTER 25-24

PART XIII

RULES GOVERNING OPERATOR SERVICES PROVIDERS

25-24.600	Application and Scope
25-24.610	Terms and Definitions; Rule Incorporated
25-24.620	Service Requirements
25-24.630	Rate and Billing Requirements

25-24.600 Application and Scope.

(1) This part applies to any company, other than a local exchange company, that provides operator service to an end user as operator service is defined in Florida Statute 364.02 (1991), and includes companies that bill and collect for other entities on telecommunications company bills.

(2) In addition to the rules contained in this part, operator services providers shall also comply with the rules contained in Part X of Chapter 25-24, F.A.C..

(3) Any operator services provider may petition for exemption from applicable portions of Chapter 364, Florida Statutes, or for application of different requirements than those prescribed for telephone companies in Chapter 364, Florida Statutes, under the authority of Section 364.337, Florida Statutes, (1991).

Specific Authority: 350.127(2), F. S.

Law Implemented: 364.01, 364.3376, F.S.

History: New, 9/6/93.

25-24.610 Terms and Definitions; Rule Incorporated.

(1) For purposes of this Part, the following definitions apply:

(a) "Call aggregator" is any person or entity other than a certificated telecommunications company that, in the ordinary course of its operations, provides telecommunications service to end users other than its subscribers. "Call aggregator" includes but is not limited to the following:

1. hotel as defined in Section 509.242 (1)(a), F.S. (1991).
2. motel as defined in Section 509.242 (1)(b), F.S. (1991).
3. resort condominium as defined in Section 509.242 (1)(c), F.S., (1991).
4. transient apartment as defined in Section 509.242 (1)(e), F.S., (1991).
5. rooming house as defined in Section 509.242 (1)(f), F.S., (1991).
6. resort dwelling as defined in Section 509.242 (1)(g), F.S., (1991).
7. schools required to comply with any portion of Chapter 228, F.S., (1991), or Chapter 229.808, F.S., (1991).

8. nursing home as defined in Section 400.062, F.S., (1991).

9. adult congregate living facility ("ACLF") as defined in Section 400.407, F.S., (1991).

10. hospital as defined in Section 395.003, F.S., (1991).

11. Any entity not included above that provides telecommunications service to end users other than its subscribers.

(b) "Conversation time" is the time during which two-way communication is possible.

(c) "End-user" means a person who initiates or is billed for a telephone call.

(2) In addition to the above, the following rule is incorporated herein by reference.

Section	Title	Portions not Applicable
25-4.003	Definitions	None

Specific Authority: 340.127(2), F.S.

Law Implemented: 364.01, 364.3376, F.S.

History: New, 9/6/93.

25-24.620 Service Requirements.

(1) An operator services provider shall clearly state the name of the company upon answer and again after accepting billing information before the call is connected.

(2) In its tariffs for and contracts with Florida call aggregators, billing and collection agents and other operator service providers, an operator service provider shall require the other party to:

(a) allow end-users to access, at no charge, all locally available long distance carriers via all locally available methods of access, including 10XXX and 950-XXX and any operator service provider's 1-800 access code; except that Feature Group A access lines are exempt from this requirement;

(b) allow end users to access the universal telephone number "911", where operable, at no charge to the end-user, and where not operable, to allow end-users to access the local exchange company toll operator at no charge, except that 911 access shall not be required at confinement facilities or hospitals;

(c) route all end-user dialed 1+, 0+, and 0- intraLATA local and toll calls to the local exchange company unless the end-user dials the appropriate access code for his carrier of choice, i.e., 950, 800, 10XXX;

(d) route all end-user dialed 0- calls to the local exchange company operator at no charge to the end user when no additional digits are dialed after five seconds; and

(e) place a written notice in plain view, in the immediate vicinity of each telephone served by the company, which clearly states at least the following information:

1. name of the operator services provider as it appears on the certificate issued by the Commission;
2. instructions on how to obtain rate information;
3. instructions on how to reach the LEC operator;
4. instructions on how to reach emergency services;
5. instructions on how to place intraLATA and interLATA calls;
6. instructions on how to access other operator service providers;
7. a toll-free number for customer service;
8. the amount of any surcharge for local calls to be billed and collected by the call aggregator; and
9. the amount of any surcharge for long distance calls to be billed and collected by the call aggregator

Specific Authority: 350.127(2), F. S.

Law Implemented: 364.01, 364.3376, F.S.

History: New, 9/6/93.

25-24.630 Rate and Billing Requirements.

(1) An operator services provider shall:

(a) charge and bill end-users no more than the Commission-approved rate for intrastate calls;

(b) have current rate information readily available and provide this information orally to end-users upon request prior to connection;

(c) require that its certificated name or the name of its certificated billing agent appear on any telecommunications company's bill for regulated charges;

(d) require all calls are to be individually identified on each bill from a telecommunications company to an end-user bill, including the date and start time of the call, call duration, origin and destination (by city or exchange name and telephone number), and type of call; and

(e) provide a toll-free number for customer inquiries on the bill and maintain procedures adequate to allow the company to promptly receive and respond to such inquiries; and

(f) charge only for conversation time as rounded according to company tariffs.

(2) An operator services provider shall not:

(a) bill or charge for uncompleted calls in areas where answer supervision is available or knowingly bill or charge for uncompleted calls in areas where answer supervision is not available;

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(b) bill for any collect call that has not been affirmatively accepted by a person receiving the call regardless of whether the call was processed by a live or automated operator;

(c) bill for calls in increments greater than one minute;

(d) bill or collect a surcharge levied by any entity, either directly or through its billing agent, except Commission-approved charges for pay telephone providers.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.01, 364.3376, F.S.

History: New, 9/6/93.