

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Amendment of Rule 25-) DOCKET NO. 930485-TL
4.0345, F.A.C., Customer Premise) ORDER NO. PSC-93-1353-NOR-TL
Equipment and Inside Wire, and) ISSUED: September 16, 1993
Rule 25-4.040, F.A.C., Telephone)
Directories; Directory)
Assistance.)
_____)

NOTICE OF RULEMAKING

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to amend Rules 25-4.0345 and 25-4.040, F.A.C., relating to customer premise equipment and inside wire and telephone directories; directory assistance.

The attached Notice of Rulemaking will appear in the September 17, 1993, edition of the Florida Administrative Weekly. If requested, a hearing will be held at the following time and place:

9:30 a.m., Friday, October 22, 1993
Room 106, Fletcher Building
101 East Gaines Street

Written requests for hearing and written comments or suggestions on the rules must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, FL 32399, no later than October 8, 1993.

By ORDER of the Florida Public Service Commission this 16th day of September, 1993.

STEVE TRIBBLE, Director
Division of Records & Reporting

(S E A L)

by: Kay DeLeon
Chief, Bureau of Records

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 930485-TL

RULE TITLE:	RULE NO.:
Customer Premises Equipment and Inside Wire	25-4.0345
Telephone Directories; Directory Assistance	25-4.040

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 25-4.0345, F.A.C., is to include the revenues, expenses, and investments related to the maintenance of simple inside wire in the intrastate earnings for ratemaking purposes, and also to assist telephone customers in becoming less reliant on local exchange companies for inside wire maintenance. The purpose of the proposed amendments to Rule 25-4.040, F.A.C., is to require local exchange companies to inform customers how to trouble-shoot problems with their telephone service by including a section on the subject in the telephone directories. The effect of the proposed amendments is to shift the benefits of profits and risks of losses for local exchange company provided inside wire maintenance services from the shareholders to the ratepayers.

SUMMARY: The proposed amendments create distinctions between complex and simple inside wire and between installation and maintenance for regulatory purposes. While the provision and installation of all inside wire, and the maintenance of complex inside wire would remain deregulated, the proposed amendments would

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impute the revenues, expenses, and investments related to the maintenance of simple inside wire to the regulated portion of the companies' books for ratemaking purposes. Local exchange companies would be required to install standard network interfaces (SNIs) on new installations and to retrofit existing installations with SNIs by December 31, 1996, and to offer revert ringing, where technically possible, by June 30, 1994. Finally, the amendment to Rule 25-4.040, F.A.C., would require that a section be added to telephone directories instructing customers how to troubleshoot problems.

RULEMAKING AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 363.03, F.S.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULES MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., Friday, October 22, 1993

PLACE: Room 106, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THESE RULES AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULES ARE:

25-4.0345 Customer Premises Equipment and Inside Wire.

(1) Definitions: For purposes of definition under this rule:

(a) Complex inside wire - inside wire on the customer's side of the demarcation point associated with a private branch exchange (PBX) or key system.

(b) (a) "CPE" includes terminal equipment intended for use on the customer's premises such as telephone sets, teletypewriters, data terminal equipment, mobile telephone terminal equipment, private branch exchange equipment, key system equipment, dialers and other supplemental equipment. CPE does not include 911 public safety answering point equipment (ALI, ANI, ACD equipment), local exchange company paystations, or telecommunications devices required by hearing or speech impaired subscribers.

(c) "Customer Premises" is the discrete real property owned, leased or controlled by a customer for the customer's own business or residential purposes.

(d) ~~(b)~~ "Demarcation point" is the point of physical interconnection (connecting block, terminal strip, jack, protector, optical network interface, or remote isolation device) between the telephone network and the customers premises wiring. Unless otherwise ordered by the Commission for good cause shown the location of this point is:

1. Single Line/Single Customer Building - Either at the point of physical entry to the building or a junction point as close as practicable to the point of entry.
2. Single Line/Multi Customer Building - Within the customer's premises at a point easily accessed by the customer.
3. Multi Line Systems/Single or Multi Customer Building - At a point within the same room and within 25 feet of the FCC registered terminal equipment or cross connect field.
4. Temporary Accommodations Subscriber Premises with Inadequate Grounding (e.g. some mobile homes, trailers, houseboats, construction modules.) - On a permanent stake, pole or structure with a suitable safety ground.

~~(e) "Complex Equipment wire:" premises wiring owned by the local exchange company which may be used as station wiring and to connect off-premise extensions and is beyond the normal demarcation points.~~

(e) ~~(d)~~ "Inside wire" is all wire or cable ~~other than complex equipment wire~~ located on the customer's side of the demarcation point.

~~(e) "Customer Premises" is the discrete real property owned, leased or controlled by a customer for the customer's own business or residential purposes.~~

(f) Simple inside wire - All inside wire not classified as complex inside wire.

(2) The provision, installation, and maintenance of Customer Premises Equipment (CPE) and inside wire:

(a) The provision, installation, and maintenance of CPE ~~and inside wire, but not complex equipment wire,~~ is deregulated for intrastate purposes.

(b) The provision and installation of all inside wire and the maintenance of complex inside wire are deregulated for intrastate purposes.

(c) The revenues, expenses, and investment related to the maintenance of simple inside wire shall be included in intrastate earnings for ratemaking purposes.

(d) ~~(b)~~ Companies using accounting allocation procedures in lieu of a fully separate subsidiary for the provision and maintenance of CPE or complex inside wire or ~~and the provision and installation of simple inside wire~~ shall submit annual audit results and a formal opinion, rendered by an independent certified public accountant or auditor, on the reasonableness and accuracy of the allocation procedures employed. The expense of this audit

shall be separately identified and shall not be chargeable to expense for ratemaking purposes. The Commission may, upon sufficient showing by a telephone company, modify or waive these requirements.

(e) To assist customers in testing their own inside wire, all local exchange companies shall install standard network interfaces on new installations and shall retrofit existing installations with standard network interfaces by no later than December 31, 1996. By June 30, 1994, where it is technically possible, all local exchange companies shall offer revert ringing (a service giving the customer the ability to call himself to test the integrity of the connection between the customer and the central office by dialing his own phone number) at no charge to consumers.

(3) Network facilities up to and including the demarcation point are part of the telephone network, provided and maintained by the telephone company under tariff.

(4) CPE Network Responsibility. No CPE may harm the network by introducing signals that interfere with or affect other subscribers or network operations.

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

Law Implemented: 364.03, F.S.

History: New 12/13/82, formerly 25-4.345, Amended 9/30/85, 4/16/90, _____.

25-4.040 Telephone Directories; Directory Assistance.

(1) Each local exchange telecommunications company shall normally publish updated telephone directories once every 12 months and shall publish updated directories at least once every 15 months. The directories shall normally alphabetically list the name, address, and telephone number of all subscribers located in the exchange(s) contained in the directory except the telephone numbers for public telephones or a name, address, number/address unlisted or unpublished at the subscriber's request. A description of the local (toll free) calling scope shall be prominently displayed at the beginning of each alphabetical section in a directory. At no additional charge and upon the request of any residential subscriber, the exchange company shall list an additional first name or initial under the same address, telephone number and surname of the subscriber. The exchange company shall place the first names or initials in the order requested by the subscriber.

(2) Each subscriber served by a directory shall be furnished one copy of that directory for each access line. Subject to availability, additional directories shall be provided by the local exchange telecommunications company, which may charge a reasonable fee therefor. Within 30 days after the effective date of this rule each exchange company shall file with the Commission a tariff

setting forth the fee, if any, and the conditions under which it will apply. Copies of each directory shall be furnished to the Bureau of Service Evaluation. When expanded calling scopes are involved, as with Extended Area Service, each subscriber shall be provided with directory listings for all published telephone numbers within the local service area.

(3) (a) The name of the local exchange telecommunications company, the individual exchanges included in the directory and the month/year of issuance shall appear on the front cover of each directory.

(b) The following information shall be listed on the inside of the front cover of the directory:

1. Emergency calling instructions and numbers including those of the police, fire departments and ambulance services used by local government in case of emergency;

2. "911" instructions for exchanges with "911" emergency service.

(c) The following notice shall be conspicuously listed on the inside front cover or first page of the directory:

FLORIDA PUBLIC SERVICE COMMISSION INQUIRIES
CUSTOMERS OF UTILITIES AND COMPANIES REGULATED BY THE COMMISSION WHO HAVE FIRST CONTACTED SUCH A FIRM CONCERNING A PROBLEM, AND ARE NOT SATISFIED BY THE CORRECTIVE ACTION TAKEN MAY CONTACT:

THE FLORIDA PUBLIC SERVICE COMMISSION

Division of Consumer Affairs

101 East Gaines Street

Tallahassee, Florida 32399-8153

Phone Toll Free (TDD & Voice) 1-800-342-3552

(4) The following information shall appear in the front pages of the directory, preceding subscriber listings, along with an index where there are four (4) or more pages of such information:

(a) Directions for the use of local exchange and long distance telephone services and calls to repair and directory assistance services.

(b) Application and amount of directory assistance charges contained in company tariffs.

(c) Application and amount of charges for line busy verification, emergency interrupt and maintenance/repair services.

(d) The location of telephone company public business offices located in the area(s) contained in the directory.

(e) Identification of customer payment locations and an explanation of discontinuance of service procedures for local service.

(f) Policy on customer owned equipment and inside wiring.

(g) Policy on the recording of telephone conversations.

(h) Policy on harassing calls and sales solicitations generated by illegal automatic dialing equipment.

(i) Policy on various violations of law arising from the illegal use of telephone equipment and service.

(j) A conspicuous notice of the availability of the "No Sales Solicitation" list offered through the Florida Department of Agriculture and Consumer Services, Division of Consumer Services and the 800 number to contact for further information.

(k) A section instructing customers how to troubleshoot problems with their telephone service, including isolating the problem to the network, inside wire, and equipment by use of revert ringing and standard network interfaces. Reference to such instructions shall be placed with each listing of the company's repair number along with the cost to subscribers if trouble is found to be the subscriber's responsibility.

(5) Directory assistance operators shall maintain records of all telephone numbers (except for non-published telephone numbers) in the area for which they have the responsibility of furnishing service. All new or changed listings shall be provided to directory assistance operators within forty-eight (48) hours after connection of service, excluding Saturdays, Sundays and holidays.

(6) In the event of an error in the listed number of any subscriber, each local exchange telecommunications company shall

intercept all calls to the listed number for the period of time required to comply with Rule 25-4.074, provided the listed number is not in service. In the event of an error or omission in the name listing of a customer, the customer's correct name and telephone number shall be listed in the directory assistance and intercept records and the correct number furnished the calling party upon request or interception.

(7) When a subscriber will establish a residence or business shortly after the close of subscriber listing records but preceding publication, the local exchange telecommunications company shall, upon request, establish and list service at the requested new address and immediately place the service on suspension. Service connection and other appropriate local service charges shall be due and payable, independent of whether service is later restored.

(8) When scheduled additions or changes in plant, records or operations will require a large group of number changes, the earliest possible notice shall be given to affected customers, regardless of the time of the change relative to the directory issuance cycle.

(9) The local exchange telecommunications company shall not change a subscriber's telephone number without good cause and at least thirty (30) days prior notice to the affected subscriber.
Specific Authority: 350.127(2), F.S.

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Law Implemented: 364.03, F.S.

History: New 12/1/68, formerly 25-4.40, Amended 3/31/76, 1/4/78,
12/10/84, 11/28/89, 3/31/91, 02/11/92, _____.

NAME OF PERSON ORIGINATING PROPOSED RULES: Jill Butler, Division
of Communications.

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULES:
Florida Public Service Commission.

DATE PROPOSED RULES APPROVED: September 7, 1993

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting at (904) 488-8371 at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).