

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 930678-TL
tariff filing to remove) ORDER NO. PSC-93-1523-FOF-TL
restriction requiring Aggregated) ISSUED: October 18, 1993
Wattsaver plan options to be)
available on exchange facilities)
used only to originate toll)
traffic specific to the)
aggregated plan options by)
BELLSOUTH TELECOMMUNICATIONS,)
INC. d/b/a SOUTHERN BELL)
TELEPHONE AND TELEGRAPH COMPANY.)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

ORDER DENYING TARIFF FILING

BY THE COMMISSION:

On July 1, 1993, Southern Bell proposed a revision to its General Subscriber Services Tariff to delete the restriction that "[t]he Company will limit the Aggregated Plan options to be available on exchange facilities used only to originate outgoing toll traffic specific to the Aggregated Plan options."

On July 28, 1993, MCI filed a Petition to reject or suspend Southern Bell's tariff filing on the grounds that the filing is inconsistent with Commission Orders 24859 and 24860. MCI argues that it would be inappropriate to approve the tariff, even on an interim basis, unless there is a hearing on the underlying issues raised by the filing.

On August 25, 1993, AT&T filed a Petition for Leave to Intervene and Request to Reject or Suspend Tariff Filing. AT&T's raised arguments similar to those raised by MCI. The Petition for Leave to Intervene was granted by separate Order.

In a letter dated August 5, 1993, FIXCA also expressed concern regarding this tariff filing. FIXCA stated that "Southern Bell has presented absolutely no evidence that conditions have changed since

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the Commission issued its decision." FIXCA supports MCI's Petition and urges the Commission to reject the tariff.

The restriction which the Company seeks to delete was established by Order No. 24859, issued in Docket No. 900708-TL, on July 29, 1991. In that Docket, one area of concern was the ability of all toll service providers to compete on an equal basis. The question of whether it was appropriate for the LECs to impute one end of special access in the toll rates was especially controversial. At that time, the Company's proposal to impute special access in its formula was approved; however, it was determined that LEC high volume toll services could be provided only on lines which are specific to those services.

Southern Bell now contends that this restriction is unduly burdensome to its customers. Yet, the Company neither quantified the financial burden on its customers nor provided a comparison of how its rates and the provisioning of its service differ from similar services provided by the IXC's.

Upon review, we find that Southern Bell has failed to demonstrate that conditions have changed significantly since the issuance of Order No. 24859. Accordingly, we shall not reverse the decision set forth in that Order. Therefore, we shall deny Southern Bell's tariff filing to remove the restriction requiring Aggregated WatsSaver Service Plan options to be available on exchange facilities used only to originate toll traffic specific to the Aggregated Plan options.

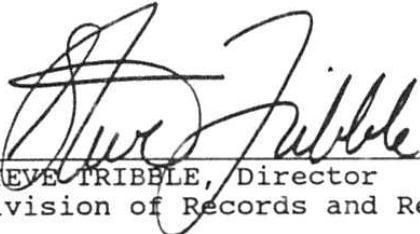
Therefore, it is

ORDERED by the Florida Public Service Commission that Southern Bell's tariff filing to remove the restriction requiring Aggregated WatsSaver Service Plan options to be available on exchange facilities used only to originate toll traffic specific to the Aggregated Plan options is hereby denied. It is further

ORDERED that this Docket shall be closed at the end of the protest period set forth below.

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By ORDER of the Florida Public Service Commission this 18th
day of October, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

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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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), 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 November 8, 1993.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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 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 date this Order becomes final, 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.