

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 940208-TL
tariff filing to update its call) ORDER NO. PSC-94-0429-FOF-TL
forwarding busy/don't answer) ISSUED: April 11, 1994
tariffs by United Telephone)
Company of Florida (T-94-098)
filed 2/22/94))
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING
LUIS J. LAUREDO

ORDER APPROVING TARIFF

BY THE COMMISSION:

United Telephone Company of Florida (United or Company) filed proposed tariff revisions to update its Call Forwarding-Busy-Fixed and Call Forwarding-Don't Answer-Fixed services in an attempt to prevent customers from avoiding rotary/hunting charges.

United introduced Call Forwarding-Busy-Fixed and Call Forwarding-Don't Answer-Fixed services in July, 1993. These services forward calls on a permanent basis to a predetermined number. The most common use of this feature is to forward calls to a voice mail system.

Unless restricted by the Company, these features can be substituted for rotary/hunting service. The term "rotary" can mean pulse dialing instead of touch tone dialing or, as used here, hunting from one line to the next in a series of lines when one line is busy. A customer with three business lines can purchase the call forwarding features on each line and have them forwarded to each successive line. This essentially performs the same function as hunting at a fraction of the cost.

We have previously approved other local exchange companies' prohibition of this use of call forwarding features. See Docket

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No. 891366-TL. We set business access line rates, including rotary/hunting, using several considerations including value of service, usage, and residual pricing. Business customers pay more for services because they have increased usage of the network and the ability to pay higher rates. The actual cost to provide the service is presently not the primary determinant of either residence or business local service rates.

Some business customers have often complained that business rotary/hunting charges are exorbitant and far exceed the cost to provide the service. The current rate for some companies is 1.5 times the regular access line rate, but the cost is not much higher than the regular line cost. This results in approximately a \$15.00 additive rate per line for hunting, while the rate for call forwarding is generally \$4.00 per line. We have become sensitive to this problem, and in recent overearnings and rate case dockets, we have reduced the B-1 rotary rate in comparison with the regular business access line rate for some companies.

However, we have not received nor approved any requests to replace the rotary/hunting premium with call forwarding charges. The Commission's policy continues to include a premium charge for hunting services, and circumventing such a charge through tariff arbitrage has historically been discouraged.

Presently, United's tariff has a general prohibition against using call forwarding features to replace rotary/hunting service but it has no specific restrictions on such use. This proposal is essentially the same as other local exchange companies' tariffs by only allowing calls to be forwarded to numbers that are at separate premises from the "forwarded-from" location. This will prohibit customers from using call forwarding instead of hunting. United will notify its existing Call Forwarding-Busy-Fixed and Call Forwarding-Don't Answer-Fixed customers with a bill insert explaining this policy.

We find that United's proposed tariff revisions are consistent with other companies' policies and will help prevent tariff arbitrage with regard to hunting services. Accordingly, we approve United's tariff as filed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that proposed tariff revisions filed by United Telephone Company of Florida on February 22, 1994 are hereby approved. It is further

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ORDERED that United Telephone Company of Florida will notify its existing Call Forwarding-Busy-Fixed and Call Forwarding-Don't Answer-Fixed customers with a bill insert explaining the policy as discussed within the text of this Order. It is further

ORDERED that the tariff shall become effective on March 25, 1994. It is further

ORDERED that if a protest is filed in accordance with the requirement set forth below, the tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest. It is further

ORDERED that if no protest is filed in accordance with the requirement set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 11th day of April, 1994.



BLANCA S. BAYO, Director
Division of Records and Reporting

(S E A L)

DLC

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

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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 May 2, 1994.

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.

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.