

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 941048-TL
tariff filing to delete) ORDER NO. PSC-94-1449-FOF-TL
requirement in Customized Code) ISSUED: November 28, 1994
Restriction tariff that stickers)
be placed on restricted)
telephones, by BELLSOUTH)
TELECOMMUNICATIONS, INC. d/b/a)
SOUTHERN BELL TELEPHONE AND)
TELEGRAPH COMPANY (T-94-502)
filed 9/16/94).)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER APPROVING TARIFF

BY THE COMMISSION:

On September 16, 1994, BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell) filed proposed revisions to its General Subscriber Service Tariff. The purpose of the filing was to delete the requirement in its Customized Code Restriction (CCR) tariff that stickers indicating that the Company operator cannot be reached for any purpose be placed on restricted telephones. The Customized Code Restriction tariff offers several options for restricting outgoing calls.

Certain CCR options restrict access to the Southern Bell operator. For these options, there is a requirement for the subscriber to place a sticker on each restricted telephone indicating that the Company operator cannot be reached for any purpose. In addition, the current tariff states that it shall be the responsibility of the subscriber to notify all authorized users that it is impossible to reach the operator. We did not order these requirements; rather, Southern Bell implemented these requirements on its own accord.

Southern Bell proposes to delete the requirement that subscribers place stickers on restricted telephones. The Company states that it has no means of enforcing placement of the stickers

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

on subscriber's telephones. However, the Company will notify all subscribers that stickers are available and would provide, at the subscriber's request, stickers that may be placed on the telephones. Therefore, the primary difference between the current and proposed tariff revision is that the Company does not provide the stickers unless the subscriber requests stickers. It is still the subscriber's responsibility to notify users of the service that it is impossible to reach a Company operator. The subscriber could choose to obtain the stickers from the Company or to notify its users in another manner.

Existing subscribers will not be affected by the proposed tariff filing. However, new subscribers will have to request the stickers from the Company or notify their users in another manner. There is no revenue impact associated with the proposed tariff change, but there would be an administrative cost savings from the reduction in manual processing involved in the provision of stickers to all subscribers.

We find Southern Bell's proposed tariff to delete the requirement to place stickers on restricted telephones is appropriate for several reasons. First, subscribers that dial a restricted code will be sent to an appropriate recorded announcement. Second, it is not possible for Southern Bell to enforce the placement of the stickers on the telephones. Third, the language stating that it shall be the responsibility of the subscriber to notify all authorized users that it is impossible to reach a Company operator has not changed and will remain in the tariff. Finally, Southern Bell will notify customers, when they order a Customized Code Restriction option, that stickers are available and will be provided upon request. Therefore, we find that Southern Bell's proposed tariff to delete the requirement to place stickers on restricted telephones is hereby approved. The tariff shall become effective November 15, 1994.

It is therefore,

ORDERED by the Florida Public Service Commission that the tariff revision proposed by BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company to delete the requirement in its Customized Code Restriction tariff that stickers be placed on restricted telephones is hereby approved with an effective date of November 15, 1994. It is further

ORDERED that if a protest is filed in accordance with the requirements 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

ORDER NO. PSC-94-1449-FOF-TL
DOCKET NO. 941048-TL
PAGE 3

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

By ORDER of the Florida Public Service Commission, this 28th day of November, 1994.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Hays
Chief, Bureau of Records

(S E A L)

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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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on December 19, 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.

ORDER NO. PSC-94-1449-FOF-TL
DOCKET NO. 941048-TL
PAGE 4

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.