

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Complaint of Daniel T.) DOCKET NO. 940088-TL
Pulford against BELLSOUTH) ORDER NO. PSC-95-0553-AS-TL
TELECOMMUNICATIONS, INC. d/b/a) ISSUED: May 8, 1995
SOUTHERN BELL TELEPHONE AND)
TELEGRAPH COMPANY.)
_____)

The following Commissioners participated in the disposition of this matter:

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

ORDER ACKNOWLEDGING SETTLEMENT AND CLOSING DOCKET

BY THE COMMISSION:

Daniel Pulford is the owner of A Aachen Electric, an electrical contractor operating in the Orlando area. To increase customer accessibility to his operation, he had Southern Bell (SBT) provide him with 4 numbers, 3 remote call forwarding (RCF) lines forwarded to a fourth number at his business located in Geneva, Florida. This request was made approximately May 18, 1992. The initial installation date was May 26, 1992. In conjunction with this arrangement, he purchased yellow page advertising which included these RCF numbers. Soon after the installation of the system, he began to experience difficulty in receiving calls. The problem was the result of an insufficient number of lines at the Geneva location to ensure the system would work. SBT made the needed changes, although discovering the source of the problem and subsequently correcting the problem took an extended period of time. The problem was apparently finally corrected in July 1993. At that time SBT waived installation charges for the needed changes. As of January 25, 1994, Southern Bell has also provided a refund of \$481.14, the total amount of RCF charges from May 26, 1992 through July 28, 1993.

On December 20, 1993, Mr. Pulford provided a written complaint containing four counts to the Commission's Communications Staff. Southern Bell filed a Motion to Dismiss the Complaint on February 15, 1994. On February 24, 1994, Mr. Pulford filed in opposition to Southern Bell's Motion to Dismiss. In his opposition

DOCUMENT NUMBER-DATE
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ORDER NO. PSC-95-0553-AS-TL
DOCKET NO. 940088-TL
PAGE 2

to Southern Bell's motion, Mr. Pulford requested that he be allowed to proceed through the informal complaint resolution process set forth in Rule 25-22.032, Florida Administrative Code.

The informal conference was conducted July 6, 1994. No settlement was reached at the conference. The parties continued to negotiate subsequent to the informal conference.

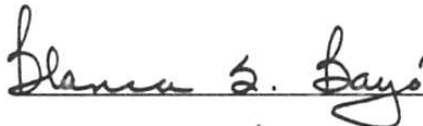
On December 2, 1994, the parties provided information indicating that the parties had tentatively reached a settlement. On March 31, 1995, the parties informed the Commission that they had completed their agreement settling the case. Since the parties have reached agreement resolving this case, nothing more remains to be done. Accordingly, we find it appropriate to acknowledge the settlement and close this docket.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that settlement between the parties in this case is hereby acknowledged. It is further

ORDERED that this docket be closed.

By ORDER of the Florida Public Service Commission, this 8th day of May, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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ORDER NO. PSC-95-0553-AS-TL
DOCKET NO. 940088-TL
PAGE 3

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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/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 after the issuance of this order, 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.