

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Review of the Rule 25-) DOCKET NO. 950214-TP
4.115(2)(a) and (3)(a), F.A.C.,) ORDER NO. PSC-95-1191-NOR-TP
regarding directory assistance) ISSUED: September 21, 1995
for the disabled)
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)

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

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to adopt amend Rule 25-4.115(2)(a) and (3)(a), Florida Administrative Code, relating to directory assistance for the disabled.

The attached Notice of Rulemaking will appear in the September 29, 1995 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at the following time and place:

Florida Public Service Commission
1:30 p.m., Monday, December 4, 1995
Room 148, Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0850

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than October 20, 1995.

DOCUMENT NUMBER-DATE

09363 SEP 21 8

FPSC-RECORDS-REPORTING

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By ORDER of the Florida Public Service Commission, this 21st
day of September, 1995.

BLANCA S. BAYÓ, Director
Division of Records & Reporting

by: *Kay Flynn*
Chief, Bureau of Records

(S E A L)

DWC

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DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

HEARING: 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: 1:30 P.M., December 4, 1995.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-4.115 Directory Assistance

(1) No Change.

(2) Charges for calls within a local calling area or within a customer's Home Numbering Plan Area (HNPA) shall be at rates prescribed in the general service tariff of the local exchange company originating the call and shall be subject to the following:

(a) There shall be no charge for directory assistance calls ~~up to fifty calls per billing cycle~~ from lines or trunks serving individuals with disabilities. As used in this rule subpart and subpart (3)(a) thereof, "disability" means, with respect to an individual - A physical or mental impairment that prohibits a customer from using the telephone directory. ~~The local exchange~~

~~carrier shall charge its prevailing tariff rates for every call in excess of 50 within a billing cycle.~~

(b) The same charge shall apply for calls within a local calling area and calls within an HNPA.

(c) The tariff shall state the number of calls per billing month per individual line or trunk to the number designated for local directory assistance (i.e., 411, 311 or 611) for which no charges will apply. The local exchange company shall charge for each local directory assistance call in excess of this allowance. The charge shall not apply for calls from pay stations.

(d) The local exchange company shall apply the charge for each call to the number designated for long distance directory assistance within the customer's HNPA (i.e., 1 + (904) 555-1212).

(3) No Change.

Specific Authority: 350.127, F.S.

Law Implemented: 364.03, 364.04, F.S.

History: New 6/12/86, Amended 6/4/90, 5/31/93, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ann Shelfer

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

DATE PROPOSED RULE APPROVED: September 12, 1995.

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

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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) 413-6770 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).