

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. | DOCKET NO. 060668-TP  
ORDER NO. PSC-06-1008-NOR-TP  
ISSUED: December 7, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman  
J. TERRY DEASON  
ISILIO ARRIAGA  
MATTHEW M. CARTER II  
KATRINA J. TEW

NOTICE OF RULEMAKING

BY THE COMMISSION:

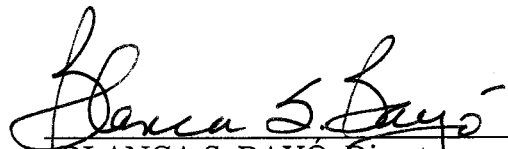
NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-4.0161, Florida Administrative Code, relating to regulatory assessment fees; telecommunications companies.

The attached Notice of Rulemaking will appear in the December 15, 2006 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at a time and place to be announced in a future notice.

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than January 5, 2007.

By ORDER of the Florida Public Service Commission this 7th day of December, 2006.



BLANCA S. BAYO, Director  
Division of the Commission Clerk  
and Administrative Services

(SEAL)

CTM

DOCUMENT NUMBER-DATE

11201 DEC-7 06

FPSC-COMMISSION CLERK

NOTICE OF PROPOSED RULEMAKING

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 060668-TP

RULE TITLE:

RULE NO.:

Regulatory Assessment Fees; Telecommunications Companies

25-4.0161

PURPOSE AND EFFECT: To state the new minimum annual Regulatory Assessment Fees that telecommunications companies pay the Commission.

SUMMARY: Amended Rule 25-4.0161 defines new minimum annual regulatory assessment fees (RAF) companies must pay the Commission, regardless of their gross operating revenues and Commission RAF forms are changed to reflect the new minimum RAFs applicable to a specific company type.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The rule changes will increase the annual amount some companies must pay the Commission.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), FS

LAW IMPLEMENTED: 350.113, 364.285, 364.336 FS

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE THESE PROPOSED RULE IS:

Christiana T. Moore, Florida Public Service Commission, 2540 Shumard Oak Blvd.,  
Tallahassee, Florida 32399-0862, (850) 413-6098.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.0161 Regulatory Assessment Fees; Telecommunications Companies.

(1) As applicable and as provided in Sections 350.113, 364.02(13) and 364.336, F.S., each company shall remit a fee based upon its gross operating revenue as provided below. This fee shall be referred to as a regulatory assessment fee, and each company shall pay a regulatory assessment fee in the amount of 0.0020 of its gross operating revenues derived from intrastate business. For the purpose of determining this fee, each telecommunications company shall deduct from gross operating revenues any amount paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed as follows:

- (a) Local Exchange Company - \$1,000;
- (b) Pay Telephone Service Provider - \$100;
- (c) Shared Tenant Service Provider - \$100;
- (d) Interexchange Company - \$700;
- (e) Alternative Access Vendor - \$600;
- (f) Competitive Local Exchange Company - \$600.

(2) – (3) No change

(4) Commission Form PSC/CMP 25 (xx/xx01/05), entitled “Local Exchange Company Regulatory Assessment Fee Return”; Form PSC/CMP 26 (xx/xx01/05), entitled “Pay Telephone Service Provider Regulatory Assessment Fee Return”; Form PSC/CMP 34 (xx/xx01/05), entitled “Shared Tenant Service Provider Regulatory Assessment Fee Return”; Form PSC/CMP 153 (xx/xx01/05), entitled “Interexchange Company Regulatory Assessment Fee Return”; Form PSC/CMP 1 (xx/xx01/05), entitled “Alternative Access Vendor Regulatory Assessment Fee Return”; and Form PSC/CMP 7 (xx/xx01/05), entitled “Competitive Local Exchange Company Regulatory Assessment Fee Return” are incorporated into this rule by reference and may be obtained from the Commission’s Division of the Commission Clerk and Administrative Services.

(5) – (13) No change.

Specific Authority 350.127(2) FS.

Law Implemented 350.113, 364.285, 364.336 FS.

History—New 5-18-83, Formerly 25-4.161, Amended 10-19-86, 1-1-91, 12-29-91, 1-8-95, 12-26-95, 7-7-96, 11-11-99, 12-7-04, 10-6-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dale Mailhot

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: December 5, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 32,  
Number 42, October 20, 2006