

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: PROPOSED TARIFF FILING BY MCI	)	DOCKET NO. 890912-TI
TELECOMMUNICATIONS CORPORATION TO EXTEND	)	ORDER NO. 21774
PRISM PLUS PROMOTION TO COINCIDE WITH THE)	)	ISSUED: 8-22-89
END OF THE NATIONAL PROMOTION	)	
	)	

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman  
 THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 JOHN T. HERNDON

ORDER APPROVING TARIFF

BY THE COMMISSION:

On April 24, 1989 MCI filed tariff T-89-228 to offer a Special Promotion for new customers who subscribe to Prism Plus. Specifically the promotion allowed customers subscribing to service Option G a \$5.00 per line credit on all lines up to 100 lines. The effective period of this promotion was May 24, 1989 until June 30, 1989. The promotion ran concurrently with a similar interstate promotion.

MCI continued to extend the promotional rates after the tariff had expired. MCI informed staff of the situation the first week of July and staff responded by requesting MCI to submit the appropriate tariffs. While MCI's special promotion did not exceed the 90-day limit for special promotions, the promotion extended beyond the time frame outlined in MCI's tariff. Since June 30, 1989 MCI has been violating Rule 25-24.485(1)(i) which requires companies to charge only the rates contained in their filed tariff.

On July 11, 1989, MCI filed tariff T-89-372 to extend the promotion on Prism Plus from June 30, 1989 to August 15, 1989 in order that the effective period of the intrastate promotion would coincide with a recent management decision to extend the national promotion.

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In light of the fact that MCI's local people notified staff once they learned a decision was made to continue the national promotion and a tariff was filed, we do not believe that imposition of a fine, or other penalty is appropriate. However, we strongly reprimand MCI for failing to keep its' tariff filings current.

MCI has had approximately fifteen (15) Florida customers sign up for the service from July 5-13, 1989. We believe customers who have been sold the product under the impression that they would receive a \$10.00 credit per line, (with the continuation of the national and state promotions) should receive the service. Furthermore, the original promotion only lasted 38 days and with the extension to August 15, 1989, the promotion is still under the 90-day limit for special promotions.

Based on the foregoing, it is hereby

ORDERED that MCI Telecommunications Corporation's request to extend their intrastate Prism Plus promotion to August 15, 1989 to coincide with the end of the interstate (national) promotion is approved.

ORDERED that this docket is closed.

By ORDER of the Florida Public Service Commission,  
this 22nd day of AUGUST, 1989.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

JSR

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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 (1985), as amended by Chapter 87-345, Section 6, Laws of Florida (1987), 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 or sewer 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.