

**ORIGINAL
FILE COPY**

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April 22, 1991

Steve Tribble
Director, Division of Records & Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

Re: **FPSC Docket No. 910060-TP**

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Comments to Staff's Proposed Rules in the above-referenced docket. Service is being provided to all parties of record in accordance with the attached Certificate of Service.

A copy of this letter is enclosed. Please indicate on the copy that the original was filed and return the copy to me.

ACK _____
AFA _____
APP _____
CSE _____
CIV _____

Very truly yours

David M. Falgoust
David M. Falgoust

CTE Enclosure

cc: All Parties of Record
 A. M. Lombardo
 H. R. Anthony
 R. D. Lackey
CIC _____
EDH _____
SEC _____
WAS _____
OTH _____

RECEIVED & FILED

[Signature]
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A BELL SOUTH Company

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CERTIFICATE OF SERVICE
Docket No. 910060-TP

I HEREBY CERTIFY that a copy of the foregoing has been furnished by United States Mail this 22nd day of April, 1991, to:

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David M. Talquist

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: 900 and 976
Rulemaking

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Docket No. 910060-TP
Filed: April 22, 1991

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
COMMENTS TO STAFF'S PROPOSED RULES

COMES NOW Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), pursuant to the Commission Staff's Memorandum dated March 21, 1991 requesting comments to the Staff's proposed 900 and 976 rules, and offers the following comments to said proposed rules.

1. Section 25-4.110(9) - The proposed definition of 900 service refers to 900 services "between locations within the State of Florida." Because Southern Bell cannot identify 900 service by jurisdiction, interexchange carriers should be required to distinguish intrastate from interstate messages for billing purposes.

2. Section 25-4.110(9)(a) - With respect to segregation of charges, Southern Bell offers the following comments:

976 Service

Southern Bell currently provides billing for 976 service providers via Section A13.18.1 of Southern Bell's General Subscriber Services Tariff (GSST). Southern Bell already segregates 976 charges from charges for regular long distance or local charges under the heading "976 Service calls billed for sponsor(s)." Southern Bell's name and logo appear on these

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pages. Therefore, with respect to 976 Service, Southern Bell's current practice would comply with the segregation requirement contained in Section 25-4.110(9)(a)(4) of the proposed rule.

Currently, the 976 vendor name rather than program name is provided in conjunction with the 976 telephone number on the bill page. Additionally, the local or toll-free number the customer can call to inquire about such charges is listed under the "Helpful Numbers" section in the bill. With respect to Section 25-4.110(9)(a)(3) of the proposed rule, Southern Bell favors placing all such numbers available for inquiry in one section for easy reference rather than on each page of the bill. Should the Commission adopt the proposed rules, it would be necessary for Southern Bell to amend its tariff, as appropriate, to incorporate these changes.

900 Service

Southern Bell does not currently segregate 900 charges from the toll charges of an interexchange carrier (IXC). Southern Bell supports identifying these 900 charges on each carrier's bill page by including a program description of the call (e.g. Sportsline, Stockquote) rather than segregating these charges separately. This description would provide customers sufficient information to recognize the program that they called.

Should the Commission require segregation of 900 charges, Southern Bell supports segregating such charges on each carrier's bill page rather than creating a separate page for each carrier's

900 charges. Based on this approach, Southern Bell has already provided estimated costs for such segregation. Since the name of the IXC is disclosed on each of its bill pages, segregating charges within this page would also meet the IXC name requirement of Section 25-4.110(9)(a)(4). As stated previously, Southern Bell favors placing all telephone numbers available for customer inquiry under the "Helpful Numbers" section of the bill for easy reference by customers rather than on each bill page as required by proposed Section 25-4.110(9)(a)(3).

3. Section 25-4.110(9)(a) - With respect to disclosure requirements on the bill page, Southern Bell offers the following comments:

Southern Bell is not opposed to informational messages concerning 900 and 976 services being included on the bill. However, Southern Bell does not favor the proposed informational statements on every page as proposed in Section 25-4.110(9)(a)(1) and (2).

Southern Bell's policy is to not discontinue local service for nonpayment of 900 or 976 charges. However, requiring this information on every page on which 900 charges appear would add to the length and the cost of the bill. Southern Bell previously provided an estimate of additional annual billing costs of \$238,000 for adding the two statements as proposed in Section 25-4.110(9)(a)(1) and (2). Furthermore, emphasis on the statement

"Nonpayment of 900 or 976 service charges will not result in disconnection of local service" could unintentionally encourage customers to use services for which they do not intend to pay.

Instead, Southern Bell proposes that a similar message be included on a summary page of the bill. Southern Bell could also provide information regarding unregulated services, charges, responsibilities, no disconnection policy, etc. in the Southern Bell Tel News, which is the customer information mailing included in the monthly telephone bill. Additionally, Southern Bell could include information about 900 and 976 service through the Customer Guide in the White Pages Directory. Southern Bell favors an aggressive program of customer education regarding 900 and 976 service and is working with several interexchange carriers who provide 900 service to develop a coordinated educational program.

The statement concerning the availability of blocking on every bill page also appears to be an unnecessary requirement. Customers are now offered blocking service when they appeal a 900 or 976 charge. Blocking of 900 and 976 service is a tariffed service currently offered under Section A13 of Southern Bell's GSST. There is no recurring charge for blocking; there is, however, a nonrecurring charge of \$10. The nonrecurring charge is waived for 90 days following initial application for service of new customers. Additionally, Southern Bell could notify customers periodically through messages on the bill or in the Southern Bell Tel News that blocking services are available.

4. Section 25-4.110(9)(b) - 900 and 976 Billing

976 Service

Because billing and collection is an element of Southern Bell's tariffed 976 Service offering, discontinuance of billing for a 976 program results in that program being discontinued totally. The requirements on 976 programs and vendors listed in this section of the proposed rule are not currently required under Southern Bell's 976 service tariff. Southern Bell has previously provided to the Commission Staff the "Letter of Election for 976 Service" which sets forth many of the responsibilities of a 976 vendor. Should the Commission adopt the proposed rules, Southern Bell's 976 Service tariff would require amendment as appropriate.

900 Service

This section provides that a local exchange company will not provide billing services to 900 providers who do not comply with certain rules. This requirement would be virtually impossible for Southern Bell to implement and administer. It would be impractical and unduly burdensome for Southern Bell to attempt to monitor 900 service programs to make sure that the programs comply with all of the rules set forth in Section 9(b). Southern Bell simply could not police this rule. Instead of placing these requirements on the local exchange companies, this rule should require the interexchange carrier that contracts with the 900 information service provider to impose the rules set forth in

this section as a requirements for the provision of interexchange transport service.

5. Section 24-4.110(9)(c)(1) - Southern Bell currently offers blocking of 900 and 976 service to customers who appeal and request an adjustment for such charges.

As stated previously, Southern Bell's current tariff provides for a nonrecurring \$10 charge (except for new customers) for blocking of 900 and 976 service. Should the Commission adopt the proposed rule, then the Commission should also address the recovery of Southern Bell's cost for providing such blocking.

6. Section 25-4.110(9)(c)(2) - The requirement of an affidavit appears to be cumbersome and difficult to administer. Southern Bell favors a rule which would authorize blocking of a customer's access to 900 and 976 services on the second occurrence that a customer is unwilling or unable to pay a 900 or 976 charge for which there is no legitimate dispute.

7. Section 25-4.110(9)(d) - Southern Bell currently has in place guidelines for handling the dispute of 976 claims, which govern when the consent of the 976 vendor is required to make an adjustment on a customer's telephone bill. If the Commission were to adopt the proposed rules, it would be necessary for Southern Bell to amend its tariff and/or guidelines as appropriate.


Southern Bell favors a simpler adjustment policy regarding disputed 900 charges. When an end user customer complains about the value received from a 900 program or makes an inquiry which


appears to involve a legitimate complaint, the complaint will be investigated. The charge will be adjusted if, after investigation, the complaint is found to be legitimate. The end user is given the benefit of the doubt in these determinations.

8. Subparagraphs 5, 6 and 7 of Section 25-4.110(9)(d) appear to be inappropriately placed there. These subparagraphs should be styled as paragraphs (e), (f) and (g) respectively of proposed Section 25-4.110(9).

Respectfully submitted this 22nd day of April, 1991.

SOUTHERN BELL TELEPHONE
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DATE:

4/26/91

TO:

~~Legal~~ Appeals

The attached is sent to you for:

- Your Information
- Further Handling
- Necessary action
- Advice on Handling
- Response

Remarks:

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Division of Records & Reporting

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