

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Elimination of the county and	)	DOCKET NO. 910235-TL
municipality exemption from a late	)	ORDER NO. 24990
payment assessment for local exchange	)	ISSUED: 8/29/91
telephone companies	)	
	)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 J. TERRY DEASON  
 BETTY EASLEY  
 MICHAEL McK. WILSON

PROPOSED AGENCY ACTION  
ORDER CLARIFYING ORDER NO. 24327

BY THE COMMISSION:

By Order No. 24327 (the Order), issued April 4, 1991, we eliminated the late payment charge exemption for counties and municipalities. The Order was not protested within the protest period. However, due to subsequent information discovered by our staff, we find it necessary to clarify the application of the Order.

The Order was to apply to those local exchange companies (LECs) that impose late payment charges. Specifically, the Order states that "counties and municipalities shall now be subject to late payment charges at a rate no greater than allowed, and in a manner permitted, by applicable law." At the time the Order was issued, our staff believed that Southern Bell and GTE Florida Incorporated were the only LECs currently assessing a late payment charge; thus, those two companies were expressly ordered to file revised tariffs to include counties and municipalities as entities subject to a late payment charge. However, subsequent to issuance of the Order, it came to our attention that St. Joseph Telephone Company and Alltel Florida, Inc. (Alltel) also impose late payment charges. We wish to make it clear that Order No. 24327 applies to all local exchange companies that assess a late payment charge.

Accordingly, all local exchange companies currently charging a late payment of delinquent accounts shall file revised tariffs, within 30 days of the issuance of this order, including the 1% late payment charge for counties and municipalities. When filed, the tariffs and their effective dates shall be administratively approved. Alltel has requested an extension until September 1, 1992, to implement the late payment charge, and we hereby grant that request.

DOCUMENT NUMBER-DATE

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It is, therefore,

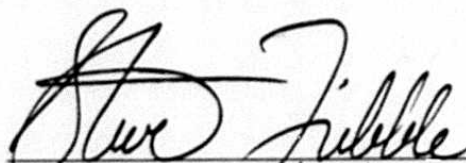
ORDERED that Order No. 24327 is clarified to include all local exchange companies. It is further

ORDERED that all local exchange companies currently imposing a late charge shall file tariff revisions, within 30 days of the issuance of this order, to include the 1% late payment charge for counties and municipalities. It is further

ORDERED that Alltel Florida, Inc.'s request for an extension until September 1, 1992, to implement this revision is hereby granted. It is further

ORDERED that if no timely protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 29th day of AUGUST, 1991.

  
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STEVE TRIBBLE, Director  
DIVISION OF RECORDS AND REPORTING

( S E A L )

PAK

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

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should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on 9/19/91.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by 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 of the effective date 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.