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Michael W. Tye
Senior Attorney

Suite 1400
106 East College Avenue
Tallahassee, Florida 32301
904 425-6360

October 4, 1991

**ORIGINAL
FILE COPY**

Mr. Steven C. Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Docket No. 910060-TP

Dear Mr. Tribble:

Enclosed for filing in the above referenced docket are one (1) original and fifteen (15) copies of AT&T's Comments. Copies of the foregoing are being served on all parties of record in accordance with the attached Certificate of Service.

Yours truly,

Michael W. Tye
Michael W. Tye

- ACK ✓
- AFA _____
- APP 1
- CAF _____
- CMU
- CTR _____
- EAG _____
- LEG _____
- LIN 6
- OPC _____
- RCH 1
- SEC 1
- WAS _____
- OTH _____

MWT:sdh

Attachments

cc: J. P. Spooner, Jr.

RECEIVED & FILED

[Signature]
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

09871 OCT -4 1991

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL
FILE COPY

In Re: Petition of the Attorney) Docket No. 910060-TP
General and Public Counsel to)
adopt rules governing 900)
services.)

AT&T'S COMMENTS

NOW COMES AT&T Communications of the Southern States, Inc., and submits the following comments regarding the proposed rules in the captioned docket.

1. Proposed rule 25-4.110(10)(b)(1) would require preambles on all programs (not just programs directed to children) to advise callers that parental notification is required. This proposed rule is inconsistent with the FCC's forthcoming rule in Common Carrier Docket No. 91-65, is not necessary in light of proposed Florida rule 25-4-110(b)(3), and consequently should be eliminated.

In Docket No. 91-65, the FCC has adopted rules which require special warnings on all programs aimed at, or likely to be of interest to, children under the age of 18. This rule specifically prohibits states from imposing different preamble requirements.

In addition, this provision is not necessary because proposed rule 25-4-110(10)(b)(3) requires clear and conspicuous notification on all programs directed to children under the age of seventeen that parental permission is required. Accordingly, the following

DOCUMENT NUMBER-DATE

09871 OCT -4 1991

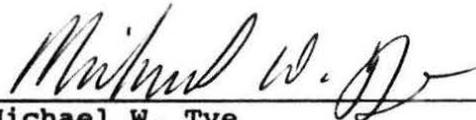
FPSC-RECORDS/REPORTING

language should be eliminated from proposed rule 25-4.110(10)(b)(1): "child's parental notification requirement is announced on all preambles for all programs."

2. Proposed rule 25-4.110(b)(4) prohibits billing for programs promoting services "without" the use of an autodialer. This provision should be revised to prohibit billing for programs "with" the use of an autodialer.

3. Proposed rule 25-4-110(d) would require "automatic adjustment" of a customer's bill "upon complaint" that one of a list of events had occurred. This proposed rule is overbroad and should be revised to state that "charges shall be adjusted, when, after investigation, it is determined that..." one of the specified events has occurred.

Respectfully submitted:



Michael W. Tye
106 East College Avenue
Suite 1410
Tallahassee, Florida 32301
(904) 425-6360



Deborah J. Winegard
1200 Peachtree Street, N.E.
Promenade I, Room 5122
Atlanta, Georgia 30309
(404) 810-8905

ATTORNEYS FOR AT&T
COMMUNICATIONS OF THE
SOUTHERN STATES, INC.

CERTIFICATE OF SERVICE

DOCKET NO. 910060-TP

I HEREBY CERTIFY that a correct copy of the foregoing has been furnished by U. S. Mail to the following parties on this 4th day of October, 1991:

Harris R. Anthony
Southern Bell Telephone and
Telegraph Company
c/o Marshall Criser, III
150 S. Monroe St., Suite 400
Tallahassee, FL 32301

Richard Bellak
Division of Legal Services
Fla. Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399-0863

Thomas Parker
GTE Florida Inc.
P. O. Box 110, MC7
Tampa, FL 33601

Floyd Self
Messer, Vickers, Caparello
French, Madsen & Lewis
P. O. Box 1876
Tallahassee, FL 32302

Alan Berg
United Telephone Company
P. O. Box 5000
Altamonte Springs, FL 32716

Robert A. Butterworth
Attorney General
State of Florida
Department of Legal Affairs
The Capitol
Tallahassee, FL 32399-1050

Craig Dingwall
US Sprint Communications
1850 M Street, N.W.
Suite 1110
Washington, D. C. 20036

Michael J. Henry
MCI Telecommunications
MCI Center
Three Ravinia Drive
Atlanta, GA 30346-2102

Richard D. Melson
Hopping Boyd Green & Sams
P. O. Box 6526
Tallahassee, FL 32314

David Erwin
Mason, Erwin & Horton
1311-A Paul Russell Road
Suite 101
Tallahassee, FL 32301

Lee Willis
Ausley, McMullen, McGehee
Carothers & Proctor
P. O. Box 391
Tallahassee, FL 32302

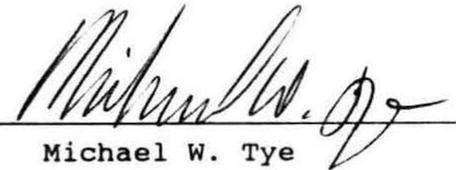
Jack Shreve
Office of Public Counsel
Claude Pepper Bldg.
Room 812
111 West Madison Street
Tallahassee, FL 32399-1400

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CERTIFICATE OF SERVICE
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Nycom Information Services
Attn: Jodi DelVecchio
5 High Ridge Park
Stamford, CT 06905

D. Bruce May
Holland & Knight
P. O. Drawer 810
Tallahassee, FL 32302

Andrew D. Lipman
Jean L. Kiddoo
Robert G. Berger
Swidler & Berlin
3000 K Street, N.W.
Washington, D.C. 20007



Michael W. Tye

DATE: 10/4/91
TO: Appeals

The attached is sent to you for:

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

Remarks: 9887-91

Division of Records & Reporting TB

PSC/R&R 9 (3/87)