

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Telecommunications Access )  
 System Act of 1991. )

DOCKET NO. 910496-TP  
 ORDER NO. 25518  
 ISSUED: 12/23/91

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 SUSAN F. CLARK  
 J. TERRY DEASON  
 BETTY EASLEY

NOTICE OF PROPOSED AGENCY ACTION

ORDER ADDING MEMBER TO ADVISORY COMMITTEE  
AND APPROVING BUDGET AND POLICIES AND  
PROCEDURES OF FLORIDA TELECOMMUNICATIONS RELAY, INC.

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

BACKGROUND

The Florida Legislature passed the Telecommunications Access System Act (the Act) of 1991. Section 427.704(2), Florida Statutes, creates an Administrator of the Telecommunication Access System. By Order No. 24462, issued May 1, 1991, the Commission established, as authorized by law, that the Administrator would consist of a nonprofit corporation composed of the local exchange companies.

Section 427.705, Florida Statutes, sets forth the duties for the Administrator. The Administrator is required to submit various reports to the Commission.

ADMINISTRATOR'S BUDGET AND POLICIES

On October 31, 1991, in response to Commission Order No. 25038, the Florida Telecommunication Relay, Inc. (FTRI), as the Administrator, filed a proposed Fiscal Budget and Policies and

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Procedures for fiscal year July 1, 1991 through June 30, 1992 for Commission review.

At agenda on December 17, the Commission approved that filing with the following modifications.

1. FTRI should add to its quarterly and annual reports an inventory status report.
2. FTRI should add to its plan a detailed description of what is contained in each revenue and expense line item in its budget.
3. FTRI should add to its annual report details on use of contractors.
4. FTRI should change its currently proposed language regarding employee benefits to clarify the last two sentences. These sentences should read as follows:

"As a general objective, expenses for benefits will not exceed 30% on average of the employees' salary. However, health insurance costs for small organizations are subject to increases greater than salary increases and the variety of providers for small organizations is not yet as great as for large businesses. Consequently, insurance expenses are subject to less control and negotiations because health insurance costs for small businesses may increase at a rate greater than salaries increase, it is recognized that the 30% on average cap may be exceeded due to health insurance costs. Nonetheless, FTRI is responsible for controlling and negotiating the best rate for these costs."

5. FTRI should add to its quarterly reports any significant changes to the program procedures since the previous quarter.

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NAMING OF NEW ADVISORY COMMITTEE MEMBER

The Commission voted to name Ms. Susan Cituk, representing the Florida Telephone Association, to replace Mr. Norman Horton as a member of the Advisory Committee. The Florida Telephone Association requested such a replacement.

Therefore, based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Administrator's Budget and Policies and Procedures are approved with modifications, as stated above. It is further

ORDERED that the above-named person is named to the Advisory Committee.

By ORDER of the Florida Public Service Commission, this 23rd day of DECEMBER, 1991.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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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, 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.

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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 1/13/92.

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, and as reflected in a subsequent order.

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.