

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Tariff to ) DOCKET NO. 920223-TL  
Introduce Customer List ) ORDER NO. PSC-92-0296-FOF-TL  
Services by SOUTHERN BELL ) ISSUED: 05/05/92  
TELEPHONE AND TELEGRAPH )  
COMPANY. )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING TARIFF

BY THE COMMISSION:

On January 17, 1992, Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) filed a proposed tariff to introduce Customer List Services as a revision to its Access Service Tariff. This service will provide customers' names, addresses, directory numbers and other information to certificated interexchange carriers (IXCs or ICs).

Customer List Services is an update to a service Southern Bell has provided to IXCs since divestiture. The FCC required the Company to provide IXCs with updated lists of customers for equal access balloting. Since Southern Bell currently is 100% equal access, the original objective for the service has been completed and the FCC no longer requires the service.

Southern Bell has received several inquiries from IXCs to continue the service, presumably for marketing purposes. The Company has responded by filing this proposal for an intrastate customer listing update service specifically for IXCs.

Customer List Services is actually a combination of two features: Customer Name and Address (CNA) and Customer Change Activity Service (CCAS). CNA provides a current list of the Company's customers. CCAS provides a list of customers not subscribed to the requesting IXC who changed their local service (added/deleted lines or originated/terminated service).

DOCUMENT NUMBER-DATE

04408 MAY-5 1992

FPC-RECORDS/REPORTING

The following information on each customer is provided with CNA and CCAS services:

Customer name, address, and telephone number (unlisted/nonpublished information is only given on customers who have presubscribed to the requesting IXC)

Working and terminal numbers

Customer type (residence/business/coin)

Nonpublished/nonlisted indicator for the requesting IXC's presubscribed customers. (This information helps the IXCs identify these customers for billing/marketing purposes and restrictions.)

Customer source (requesting IXC's subscribers only - this identifies how the customer was presubscribed to the requesting IXC: by ballot, FCC allocation or telemarketing agent.)

Customer code - a 13-digit (telephone number plus three digits) internal tracking code more specific than a telephone number that can identify each individual customer.

In addition to the above information, an IXC may request the information on a number of optional sorting methods, among them "Subscribed to Ordering IC," "Not subscribed to Ordering IC," "Subscribed as None" and listings of just residences or just businesses. The IXC may order complete lists or lists of specific NPA-NXX (area code plus exchange prefix) codes.

A typical customer of this service will probably request a CNA list once or annually, then periodically update it with a CCAS list (the Company publishes updated lists monthly). This information will help the IXC market various long distance services to specific customers or groups of customers.

A number of safeguards have been built into these features. For example, an IXC may get a list of customers presubscribed to it or presubscribed to all other companies (which company the customer is subscribed to is not revealed). Also, an IXC will get specially marked nonpublished customer numbers in a list of customers presubscribed to it, but it will not receive any nonpublished customer information for any other customers. There are also tariff restrictions on the use of the information. Finally, any

customer who does not wish to be included in these lists may have their listing removed.

We note that the Company has agreed to insert language in the front pages of its directories regarding the release of this customer information. The language will inform customers that they can withdraw their listings by calling the Company's business office. The Company will also include the information in an annual mailing to customers.

We note that staff initially was concerned that this service would conflict with the Commission's policy in the Information Services Docket regarding Customer Proprietary Network Information (CPNI) (Docket No. 880423-TP, Order Nos. 21815 & 23183). However, in that docket the focus of this Commission's CPNI policy was on the equal use and release of information to both LEC and nonLEC information providers. Because Southern Bell does not use the information in Customer List Services for its own marketing purposes, we concur with staff's position that the CPNI policy is not affected by this filing.

The Company expects an intrastate revenue impact of approximately \$1 million from this service. This figure will include two items. First, the Company's current revenues for the service are \$466,783 and are all booked to the interstate jurisdiction because the service is currently in its interstate tariff. These revenues will become intrastate once the service is moved to the Company's Florida tariff. Second, \$537,853 in additional revenues through a change in rate structure, service availability, and demand are expected and will also be exclusively intrastate revenues (Currently, BellSouth charges \$325/request and \$.04/record for CNA in its FCC tariff, versus Southern Bell's proposed rates of \$500/\$.04. CCAS is not currently provided).

The Company's proposed rates for the tariff are as follows:

Customer List Services - Proposed Rates		
	nonrecurring	recurring
Customer Name & Address	\$500/request	\$.04/record
Customer Change Activity Service	\$500/request	\$.09/record

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Southern Bell used an incremental cost methodology for this service. We are satisfied that the service appears to cover its incremental costs and provide a contribution to the Company's overall revenues.

Southern Bell has offered a substantially similar service for the past seven years through its interstate tariff. City directories, cross reference directories and competitive yellow pages companies have access to and provide some of this type of information about customers. Also, this service will be available only to certificated IXCs, hence, Commission control over the ultimate dissemination of this information is greater than if it were being sold to unregulated end users or information service providers.

Based on the foregoing, we approve the tariff as filed with an effective date of April 27, 1992.

It is, therefore,

ORDERED by the Florida Public Service Commission that Southern Bell Telephone and Telegraph Company's tariff to introduce Customer List Service is approved as filed with an effective date of April 27, 1992. It is further

ORDERED that if a timely protest is filed pursuant to the requirements set forth below, all increased revenues resulting from this filing shall be held subject to refund. It is further

ORDERED that if no protest is received within the time frame set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 5th day of May, 1992.



STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

JRW

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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), 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 May 26, 1992.

In the absence of such a petition, this Order shall become final on the day subsequent to the above date.

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 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 date this Order becomes final, 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.