

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed tariff to) DOCKET NO. 930059-TL
obsolete FlexServ® service from) ORDER NO. PSC-93-0297-FOF-TL
Section A29 of the General) ISSUED: 02/24/93
Subscriber Service Tariff (GSST))
and reintroduce FlexServ® in A32)
and also offer FlexServ® service)
in the Access Service Tariff in)
Section E7 by BELLSOUTH)
TELECOMMUNICATIONS, INC. d/b/a)
SOUTHERN BELL TELEPHONE AND)
TELEGRAPH COMPANY.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
THOMAS M. BEARD
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

ORDER APPROVING TARIFF FILING

BY THE COMMISSION:

On December 4, 1992, BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) filed a request for approval of a tariff revision.

Southern Bell proposes to move FlexServ® service to Section 32 of the General Subscriber Service Tariff (GSST). The relocation of FlexServ® service is a response to customer needs. Southern Bell reports that many customers have requested that all customer network management services be located in one section of the GSST. Also included in this filing is Section A32.1.2 which provides the customer a choice of connections to FlexServ® service.

Concurrent with approval to reintroduce FlexServ® in Section 32, Southern Bell is requesting approval to obsolete the existing FlexServ® service (Section A29). FlexServ® service as provided in Section A29.4 of the GSST will only be available to those customers whose service was established before the effective date of this new offering. The obsoleted service will be available to existing

DOCUMENT NUMBER-DATE

02142 FEB 24 93

FPSC-RECORDS/REPORTING

ORDER NO. PSC-93-0297-FOF-TL
DOCKET NO. 930059-TL
PAGE 2

customers until May 31, 1993. Any remaining customers will be given the option of subscribing to FlexServ® service under the new offering or disconnecting their service without any termination liability charges. The existing customers may move to the new tariff structure at any time. The Company proposes to waive nonrecurring charges for existing customers when they move to the new tariff structure.

Southern Bell estimates contribution at 13.9% above cost. Based on the Company's market expectations, the forecasted annual revenue for the first year from this tariff offering is \$1,964,574.50, of which \$108,085.50 is new revenue exceeding the revenues forecasted from the existing service offering. This new revenue includes the effect of offering additional options with the new tariff.

Upon review, we find that this market driven filing is an attempt to retain customers who may be encouraged to leave Southern Bell and opt for Customer Provided Network Equipment or Alternate Access Vendors (AAVs). We approve the tariff.

Based upon the foregoing it is

ORDERED by the Florida Public Service Commission that the proposed tariff by BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company to obsolete Section A29.4, introduce FlexServ® service in A32 of the General Subscriber Tariff, and to introduce FlexServ® service to the Access Service tariff in Section E7 is hereby approved. It is further

ORDERED that waiver of nonrecurring charges for existing FlexServ® subscribers is hereby approved. It is further

ORDERED that this docket shall be closed at the end of the protest period assuming no timely protest is filed. If a timely protest is filed, this tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest.

ORDER NO. PSC-93-0297-FOF-TL
DOCKET NO. 930059-TL
PAGE 3

By ORDER of the Florida Public Service Commission this 24th
day of February, 1993.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

by: Kay Hagan
Chief, Bureau of Records

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 March 17, 1993.

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

ORDER NO. PSC-93-0297-FOF-TL
DOCKET NO. 930059-TL
PAGE 4

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 wastewater 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.