

State of Florida

Commissioners:  
J. TERRY DEASON, CHAIRMAN  
SUSAN F. CLARK  
LUIS J. LAUREDO  
JULIA L. JOHNSON



DIVISION OF APPEALS  
DAVID E. SMITH  
DIRECTOR  
(904) 488-7464

# Public Service Commission

August 23, 1993

Mr. Carroll Webb  
Joint Administrative Procedures  
Committee  
120 Holland Building  
Tallahassee, Florida 32399

Re: DOCKET NO. 930634-TL, RULES 25-4.026, 25-4.027, 25-4.1357

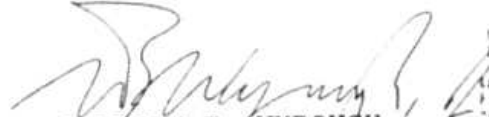
Dear Mr. Webb:

Enclosed are the original and three copies of the following materials concerning the above referenced proposed rule:

- ACK \_\_\_\_\_ 1. A copy of the rules.
- AFA \_\_\_\_\_ 2. A copy of the F.A.W. notice.
- APP \_\_\_\_\_ 3. A statement of facts and circumstances justifying the proposed rules.
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_ 4. A federal comparison statement.
- CJD \_\_\_\_\_
- EM \_\_\_\_\_ 5. A statement of the impact of the rules on small business.
- \_\_\_\_\_ 6. No economic impact statement was prepared.

If there are any questions with respect to these rules, please do not hesitate to call on me.

Sincerely,

  
WILLIAM E. WYROUGH  
Associate General Counsel

WEW  
Enclosures  
cc: Steve Tribble, Director,  
Division of Records & Reporting  
amd93634.cjp

DOCUMENT NUMBER DATE  
09086 AUG23 93

1 25-4.026 Application and Scope.

2 ~~(1) The rules set forth in this Part B are intended to~~  
3 ~~establish guidelines for the Commission to:~~

4 ~~(a) review all intrastate toll revenue settlements and~~  
5 ~~settlement agreements and disapprove any such agreements found to~~  
6 ~~be detrimental to the public interest and~~

7 ~~(b) adjudicate disputes among telephone companies regarding~~  
8 ~~intrastate telecommunications settlements.~~

9 ~~(2) For the purpose of the rules in this Part, the term~~  
10 ~~"intrastate toll settlements" is defined as the distribution~~  
11 ~~mechanism for revenues procured through the joint provision of toll~~  
12 ~~service including message toll service, wide area telephone service~~  
13 ~~(WATS), and private line services crossing exchange boundaries.~~  
14 ~~"Intrastate toll settlement agreements" are those contracts which~~  
15 ~~define the terms and conditions for distributing revenues procured~~  
16 ~~through the joint extension of toll service including message toll~~  
17 ~~service, wide area telephone service (WATS), and private lines~~  
18 ~~services crossing exchange boundaries.~~

19 Specific Authority: 350.127(2), F.S.

20 Law Implemented: 364.07(2), F.S.

21 History: New 5/4/81, formerly 25-4.26, Repealed \_\_\_\_\_.

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CODING: Words underlined are additions; words in  
struck-through type are deletions from existing law.

1 History: New 5/4/81, Amended 2/11/87, 11/27/88, Repealed \_\_\_\_\_.

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CODING: Words underlined are additions; words in  
~~struck-through~~ type are deletions from existing law.

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 930634-TL

RULE TITLE:	RULE NO.:
Application and Scope	25-4.026
Filing Requirements	25-4.027
Annual Separations Cost Study	25-4.1357

PURPOSE AND EFFECT: The purpose of these rule amendments is to repeal requirements which have become substantially out of date in the modern telecommunications industry, and to adopt a new rule on cost study information which reflects present requirements in today's environment. The only effect of the changes is to promulgate the existing requirements.

SUMMARY: Rules 25-4.026 and 25-4.027, F.A.C., "intrastate toll settlements" and "intrastate toll settlement agreements." The rules were written prior to the AT&T divestiture and address the settlement processes as they existed at that time. However, such processes no longer exist and the rules are being repealed accordingly. New rule 25-4.1357, F.A.C., requires Local Exchange Companies that conduct annual cost studies to file the studies with the Commission's Division of Auditing and Financial Analysis on or before June 30 of each year.

RULEMAKING AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 364.07(2), F.S.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

[[B. Revenue Requirements]]

NAME OF PERSON ORIGINATING PROPOSED RULES: Sylvia Johe, Division of Auditing and Financial Analysis.

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULES: Florida Public Service Commission.

DATE PROPOSED RULES APPROVED: August 3, 1993

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting at (904) 488-8371 at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

Rules 25-4.026  
25-4.027  
25-4.1357  
Docket No. 930634-TL

STATEMENT OF FACTS AND CIRCUMSTANCES  
JUSTIFYING RULE

Rules 25-4.026 and 25-4.027, F.A.C., were written prior to the AT&T divestiture and address the settlement processes as they existed at that time. The significant changes in the industry have made the rules substantially out of date and therefore are being repealed accordingly. New rule 25-4.1357, F.A.C., requires Local Exchange Companies that conduct annual cost studies to file the studies with the Commission's Division of Auditing and Financial Analysis on or before June 30 of each year. These studies contain essential information for staff in regulating rates in Florida.

STATEMENT ON FEDERAL STANDARDS

The proposed rule is no more restrictive than federal standards.

STATEMENT OF IMPACT ON SMALL BUSINESS

None of the companies affected by the rules are small businesses. There is no impact on small business.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., October 7, 1993

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THESE RULES AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE THESE RULES ARE:

25-4.026 Application and Scope.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.07(2), F.S.

History: New 5/4/81, formerly 25-4.26, Repealed \_\_\_\_\_.

25-4.027 Filing Requirements.

Specific Authority: 350.127, F.S.

Law Implemented: 364.07(2), F.S.

History: New 5/4/81, Amended 2/11/87, 11/27/88, Repealed\_\_\_\_\_.

#### PART IX

[[A. Accounting Reports]]

[[25-4.1357 Annual Separations Cost Study]]

[[ (1) Each local exchange telephone company that conducts a cost study on an annual basis shall file a copy of the study that separates operation's investments and expenses by interstate and intrastate with the Division of Auditing and Financial Analysis on or before June 30 of each year.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.07(2), F.S.

History: New \_\_\_\_\_.] ]

[[B. Revenue Requirements]]

NAME OF PERSON ORIGINATING PROPOSED RULES: Sylvia Johe, Division of Auditing and Financial Analysis.

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