

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of ) DOCKET NO. 930803-TL  
tariff filing to add a provision ) ORDER NO. PSC-93-1369-FOF-TL  
to Variable Term Payment ) ISSUED: September 20, 1993  
concerning state, county, and )  
municipal governmental entities )  
by BELLSOUTH TELECOMMUNICATIONS, )  
INC. d/b/a SOUTHERN BELL )  
TELEPHONE AND TELEGRAPH COMPANY. )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK  
JULIA L. JOHNSON  
LUIS J. LAUREDO

ORDER APPROVING TARIFF FILING

BY THE COMMISSION:

On July 12, 1993, BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) filed proposed revisions to add Variable Term Payment to its tariff. The proposal provides for circumstances where state, county, and municipal governmental entities are prohibited by law from paying termination liability charges, when that government entity eliminates contracted services early, due to lack of funding. Under the proposal, "by law" means statute, ordinance, policy directive, or constitutional provision.

The Company asserts that, by adding the provision to its tariff, contractual disputes which may occur at the time of service termination can be avoided. The Company does not expect any significant impact on its revenues as a result of this tariff proposal.

Upon review, we find that Southern Bell will not suffer any quantifiable costs or loss of revenue due to this filing. There will be no economic harm to the customers. Moreover, this provision should be helpful to both the Company and the customer when preparing contracts. Therefore, we approve Southern Bell's request to add Variable Term Payment to its tariff.

Therefore, it is

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ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company's tariff proposal to add Variable Term Payment is hereby approved with an effective date of September 10, 1993. It is further

ORDERED that the tariff shall become effective on September 10, 1993. If a timely protest is filed this tariff shall remain in effect with any increase held subject to refund pending resolution of the protest. If no timely protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 20th day of September, 1993.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

CWM

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 October 11, 1993.

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 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.