

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Disposition of directory) DOCKET NO. 940241-TL
assistance overcharges made by) ORDER NO. PSC-94-0709-FOF-TL
BELLSOUTH TELECOMMUNICATIONS,) ISSUED: June 9, 1994
INC. d/b/a SOUTHERN BELL)
TELEPHONE AND TELEGRAPH COMPANY.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING PLAN FOR REFUND OF OVERCHARGES

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 substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

I. BACKGROUND

On August 20, 1993, BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or Company) reported to the Commission that it had discovered inadvertent errors in its billing of directory assistance charges. The Company investigated the errors and determined that overbilling did occur and that the magnitude of the problem was not large. Southern Bell corrected the problem and devised a plan to refund the funds collected in error. On February 14, 1994 the Company provided a full report concerning the overcharge and included a proposal for refunding the \$1,225,899 that was charged in error.

According to the Company, the billing problem occurred during the time when Southern Bell was converting its directory assistance (DA) switch to a DMS 200 in the South and Southeast areas of Florida. The problem did not affect North Florida. Customers in both South and Southeast Florida were charged for abandoned directory assistance calls where the customer disconnected prior to an answer by the operator.

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FPC-FLORIDA PUBLIC SERVICE COMMISSION

II. REFUND PLAN

Southern Bell proposes to provide a one time credit totaling \$1,225,899 including interest to the 3.1 million access lines which were potentially affected by the billing errors for the period between September 1991 and July 1993. This amounts to \$.40 per access line.

The amount of the refund was calculated by determining the ratio of abandoned calls to the total calls made and applying the result to the directory assistance revenue from the access lines affected in order to arrive at the over billed revenues. The ratio of abandoned calls was determined by taking a "snapshot" during a special study conducted by the company. This "snapshot" was applied during the time frame that the billing errors occurred.

The credit will be given to all current customers in the affected area. The company advises that, since it only has billing tape records to identify DA users back to February 1993, identification of those to whom the credit should actually go would require an extremely labor intensive manual search of billing records.

Upon consideration, we find that the refund plan submitted by Southern Bell to rectify the overbilling problem is reasonable and appropriate and that it should be implemented.

We note from the Company's report in this matter that the DA billing problem has been corrected. If a customer now disconnects prior to reaching a directory assistance operator he is not billed. We also note that we will examine DA billing in the course of our next regularly scheduled service evaluation to insure that DA billing is now correct.

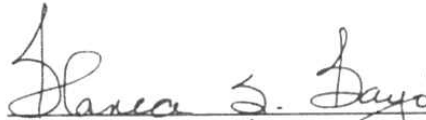
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the refund plan submitted by BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company to compensate for overcharges on directory assistance calls is approved as set forth in the body of this Order. It is further

ORDERED that, unless a person whose interests are substantially affected by our actions herein files a protest in the form and within the time set forth below in the Notice of Further Proceedings or Judicial Review, this docket shall be closed.

ORDER NO. PSC-94-0709-FOF-TL
DOCKET NO. 940241-TL
PAGE 3

By ORDER of the Florida Public Service Commission, this 9th
day of June, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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.

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 June 30, 1994.

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.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it

ORDER NO. PSC-94-0709-FOF-TL
DOCKET NO. 940241-TL
PAGE 4

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 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 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.