

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for waiver of) DOCKET NO. 950718-TP
required payment method of dial-) ORDER NO. PSC-95-1370-FOF-TP
around compensation to allow) ISSUED: November 3, 1995
implementation of a per-call)
based method for intrastate)
calls to non-local exchange)
company pay telephone (NPAT))
providers by Sprint)
Communications Company Limited)
Partnership d/b/a Sprint.)
_____)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING PETITION FOR WAIVER OF
REQUIRED DIAL-AROUND COMPENSATION METHOD

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.

On June 23, 1995, Sprint Communications Company Limited Partnership d/b/a Sprint (Sprint) filed a petition for waiver of the Commission's required method of dial-around compensation to allow implementation of a per-call based method. Dial-around traffic is traffic generated at a pay telephone where the end user "dials around" the pay phone's presubscribed long distance carrier to reach the end user's preferred carrier. This is typically done through 1-800, 10XXX, or 950 calls, though other calling patterns may also be used. Dial-around compensation is the payment of fees from the long distance carriers that are getting the traffic to the pay telephone providers whose carriers have been circumvented.

DOCUMENT NUMBER-DATE

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FPSC-MEMBERS REPORTING

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We set our dial-around policy by Order No. PSC-93-0070-FOF-TP, issued January 14, 1993. In that Order, we set a flat-rate charge of \$3.00 to be paid to each non-local exchange company pay telephone service (NPATS) provider for each of the NPATS' pay telephone lines. The \$3.00 charge was split among AT&T, Sprint, MCI, and LDDS, according to each company's percentage of intrastate traffic. Currently, AT&T pays \$2.02 per line, MCI pays \$0.43, Sprint pays \$0.29, and LDDS pays \$0.26.

In Order No. PSC-93-0070-FOF-TP and in Order No. PSC-95-0881-FOF-TI, issued July 19, 1995, we expressed our preference for a per-call compensation system but noted that technical limitations necessitated the \$3.00 surrogate. By its Petition, Sprint seeks to pay NPATS \$.25 per dial-around call instead of its share of the \$3.00 surrogate and states that per-call compensation is now technically possible. Sprint is the first interexchange company to request per-call compensation. We approve Sprint's petition and will allow Sprint to begin paying per-call compensation. By another Order, issued in Docket No. 950769-TP, we will order other IXCs to implement per-call compensation as well.

Sprint has requested that its Petition become effective July 1, 1995. Dial-around compensation is usually billed quarterly, so the quarter ending September 30 is currently being billed. Sprint should adjust its billing and remittance process to make the change to per-call compensation effective July 1, 1995.

Based on the foregoing, it is

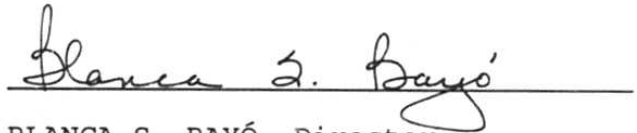
ORDERED by the Florida Public Service Commission that Sprint Communications Company Limited Partnership's Petition for Waiver is hereby granted. It is further

ORDERED that Sprint Communications Company Limited Partnership shall begin paying dial-around compensation at a rate of \$0.25 per intrastate call effective July 1, 1995. It is further

ORDERED that, unless a person whose substantial interests are affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, below, this docket shall be closed.

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By ORDER of the Florida Public Service Commission, this 3rd
day of November, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

LMB

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on November 27, 1995.

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.

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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 and effective on the date described above, any party substantially 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.