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May 24, 1996

ORIGINAL
FILE COPY

VIA OVERNIGHT DELIVERY

Mrs. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

960650-TP

Re: AT&T's Petition For Waiver

Dear Mrs. Bayo:

Enclosed for filing in the above-referenced docket are an original and fifteen (15) copies of AT&T Communications of the Southern States, Inc. ("AT&T"). Petition for Waiver of Commission Order No. PSC-93-0070-FOF-TP.

Please acknowledge receipt and filing of the above by date stamping the duplicate copy of this letter and Petition and return the same to me in the enclosed self-addressed envelope.

Yours truly,


Robin D. Dunson, Esq.

Enclosures

cc: Michael W. Tye, Esq.
Mark Logan, Esq.
J. P. Spooner, Jr.
Parties of Record

was
[Faint handwritten notes and stamps]

DOCUMENT ATTACHED DATE

05784 MAY 24 96

FPSR-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for waiver of required payment)
method of dial-around compensation to allow)
implementation of a per-call based method)
for intrastate calls to non-local exchange)
company pay telephone (NPATS) providers by)
AT&T Communications of the Southern)
States, Inc.)

Docket No. 960650-TP

Filed: May 24, 1996

AT&T'S PETITION FOR WAIVER

AT&T Communications of the Southern States, Inc. ("AT&T"), hereby petitions the Florida Public Service Commission ("Commission"), pursuant to Rule 25-22.036, Florida Administrative Code, for a partial waiver of Commission Order No. PSC-93-0070-FOF-TP issued on January 14, 1993, in Docket No. 920399-TP. In support of this request, AT&T states as follows:

By Order No. PSC-93-0070-FOF-TP, the Commission required those interexchange carriers ("IXCs") that generate \$50 million or more in gross intrastate revenues to compensate non-local exchange company pay telephone providers ("NPATS") for those calls completed by an end user from a pay telephone station by using a carrier access code, such as 10xxx, 800, 950 or other access codes, to reach such IXC's ("dial-around" calls). Four IXC's, including AT&T, fall within the purview of the Commission's Order. The Commission required each of these IXC's to pay to the NPATS a percentage of a dial-around compensation rate of \$3.00 per month per pay station based on the IXC's relative share of intrastate toll revenues, until such time as a per call compensation mechanism could be developed and implemented. A per call

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compensation mechanism has been developed and is being used by AT&T to compensate NPATS for completed interstate dial-around carrier access code traffic. Accordingly, AT&T requests the Commission's permission to implement a per-call based method of compensation for completed intrastate dial-around carrier access code traffic. However, in order for AT&T to implement a per call compensation mechanism, AT&T needs a waiver of that part of the Commission's Order No. PSC-93-0070-FOF-TP that requires AT&T to pay a percentage of the \$3.00 per pay station surrogate rate.

If the requested waiver is granted, AT&T will pay intrastate dial-around compensation on completed carrier access code dial-around calls (excluding calls to subscribers to 800 and 888 services) to NPATS at a rate of \$.25 per call based upon the actual number of completed carrier access code dial-around calls it receives from eligible pay telephones. Counsel for the Florida Public Telecommunications Association, Inc. ("FPTA"), the statewide trade association representing NPATS providers, has agreed that this rate is acceptable and is consistent with the rate that AT&T pays to NPATS for completed interstate carrier access code dial-around calls.

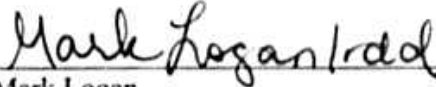
The Commission has already found that a per-call based system of compensation is "the most accurate way to compensate for dial-around traffic." Order No. PSC-93-0070-FOF-TP at page 8. Additionally, the Commission has expressed its preference for a per-call compensation mechanism. *Id.* at page 10. The current per phone flat rate \$3.00 surrogate rate was only implemented as an interim measure until a per call compensation methodology could be developed and implemented.

AT&T petitioned the Federal Communication Commission ("FCC") for waiver of its rules requiring AT&T to pay dial-around compensation on a per phone basis and requested that it be allowed to implement a per call dial-around compensation mechanism on an interstate basis. The FCC granted AT&T's petition on December 28, 1994 in CC Docket No. 91-35; Released December 29, 1994.

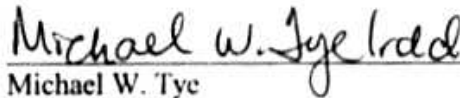
Based upon the above considerations, AT&T respectfully requests that the Commission grant it a waiver from Order No. PSC-93-0070-FOF-TP which requires AT&T to pay NPATS a percentage of the \$3.00 per pay station surrogate intrastate dial-around compensation rate. If the Commission grants such a waiver, AT&T respectfully requests that the Commission approve this Petition to allow it to pay to NPATS providers compensation for completed carrier access code dial-around intrastate calls (excluding calls to subscribers to 800 and 888 services) at a rate of \$.25 per call, effective as of April 1, 1996, in accordance with the Commission's preferred methodology.

AT&T further recommends that the Commission issue an order in Docket No. 950769-TP eliminating the surrogate dial-around compensation mechanism and requiring every IXC to pay NPATS dial-around compensation at a rate of \$.25 per completed intrastate carrier access code call as soon as practicable.

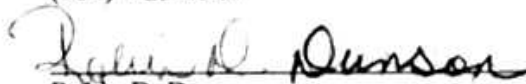
RESPECTFULLY SUBMITTED.



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ATTORNEYS FOR AT&T
COMMUNICATIONS OF THE
SOUTHERN STATES, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U. S. Mail or hand-delivery to the following parties of record this 24th day of May, 1996.

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Robin D. Dunson

State of Florida

Commissioners:

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



DIVISION OF RECORDS &
REPORTING
BLANCA S. BAYÓ
DIRECTOR
(904) 413-6770

Public Service Commission

May 29, 1996

Robin D. Dunson, Esquire
c/o AT&T Communications of the Southern States, Inc.
1200 Peachtree Street, N.E., Room 4038
Atlanta, Georgia 30309

*for the
Commission*

Docket No. 960650-TP

Dear Ms. Dunson:

This will acknowledge receipt of a petition for waiver of required payment method of dial-around compensation to allow implementation of a per-call based method for intrastate calls to non-local exchange company pay telephone (NPATS) providers, by AT&T Communications of the Southern States, Inc., which was filed in this office on May 24, 1996 and assigned the above-referenced docket number. Appropriate staff members will be advised.

A tentative schedule of events in your docket (referred to as a Case Assignment and Scheduling Record or CASR) should be available, upon request, ten (10) working days after establishment of the docket. You may contact the Records Section at (904) 413-6770 or by fax at (904) 413-7118 to request that a copy of the case schedule be faxed or mailed to you. The schedule of events provides you with an opportunity to anticipate completion stages of work in the docket. These dates are subject to change; therefore, you may wish to call the Records Section periodically to obtain revised schedules for your docket. For firm dates of hearings or other activities, please look to the Commission's official notices and orders. You can also obtain information on your docket by accessing the PSC HomePage on the Internet, at <http://www.state.fl.us/psc/>.

Sincerely,

Handwritten signature of Matilda Sanders in cursive.

Matilda Sanders
Commission Deputy Clerk