

FLORIDA PUBLIC SERVICE COMMISSION
Capital Circle Office Center • 2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

M E M O R A N D U M

June 13, 1996

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF APPEALS (MOORE) *DES*
DIVISION OF COMMUNICATIONS (MOSES) *CTM*
DIVISION OF CONSUMER AFFAIRS (RASBERRY) *JH*
DIVISION OF RESEARCH & REGULATORY REVIEW (HARLOW) *JH*

RE: DOCKET NO. 960720-TL - PROPOSED AMENDMENT TO RULE 25-4.040, TELEPHONE DIRECTORIES; DIRECTORY ASSISTANCE

AGENDA: 6/25/96 - REGULAR AGENDA - RULE PROPOSAL - INTERESTED PERSONS MAY PARTICIPATE

RULE STATUS: PROPOSAL MAY BE DEFERRED

SPECIAL INSTRUCTIONS: S:\PSC\APP\WP\960720TL.RCM

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission propose an amendment to Rule 25-4.040(3)(c), Florida Administrative Code, to require local exchange companies to include additional information in telephone directories about how to contact the Commission, and to include a Spanish translation of the Commission complaint information?

RECOMMENDATION: Yes.

STAFF ANALYSIS: Rule 25-4.040(3)(c) requires local exchange companies (LECs) to include in the front of the telephone directory information about how customers may contact the Commission when they are not satisfied with a company's response to a complaint. In addition to a toll free telephone number that is currently published, the Commission now has available a toll free facsimile number to receive consumer complaints, an Internet address for receiving consumer complaints, and a Web site on the Internet for consumers to retrieve information from the Commission. The rule amendment requires companies to publish this information, and also requires publication of a Spanish translation of the existing English language notice. (Attachment 1)

DOCUMENT NUMBER-DATE

06373 JUN 13 96

FPSC-RECORDS/REPORTING

DOCKET NO. 960720-TL
DATE: June 13, 1996

Chapter 95-403, §32, Laws of Florida, required the Commission to implement a consumer information program by January 1, 1996. In addition, staff anticipates that the recent changes in the law allowing local competition as well as resale of local service to residents by shared tenant service providers will result in an increase in the number of complaints. The changes staff recommends making to the rule should increase customer awareness of the Commission's complaint process; increase access to Commission rules, orders, and other documents and information; and furnish additional and faster methods of communicating with the Commission.

Economic Impact Statement

Imposing a requirement to publish additional information in telephone directories will result in some additional expense to the companies affected, however, the cost is expected to be minimal. A data request was sent to the LECs and an Economic Impact Statement is attached. (Attachment 2)

ISSUE 2: If no requests for hearing or comments are filed, should the rule amendments as proposed be filed for adoption with the Secretary of State and the docket be closed?

RECOMMENDATION: Yes.

STAFF ANALYSIS: Unless comments or requests for hearing are filed, the rules as proposed may be filed with the Secretary of State without further Commission action. The docket may then be closed.

CTM

Attachments:

Rule
Economic Impact Statement

1 25-4.040 Telephone Directories; Directory Assistance.

2 (1) Each local exchange telecommunications company shall
3 normally publish updated telephone directories once every 12 months
4 and shall publish updated directories at least once every 15
5 months. The directories shall normally alphabetically list the
6 name, address, and telephone number of all subscribers located in
7 the exchange(s) contained in the directory except the telephone
8 numbers for public telephones or a name, address, number/address
9 unlisted or unpublished at the subscriber's request. Also listed
10 alphabetically shall be a listing designated "Poison Information
11 Center" and the local telephone number, where the exchange served
12 by the directory has local calling to a Poison Information Center.
13 If no local telephone number exists, then the toll-free telephone
14 number of a Poison Information Center shall be listed. A
15 description of the local (toll free) calling scope shall be
16 prominently displayed at the beginning of each alphabetical section
17 in a directory. At no additional charge and upon the request of
18 any residential subscriber, the exchange company shall list an
19 additional first name or initial under the same address, telephone
20 number and surname of the subscriber. The exchange company shall
21 place the first names or initials in the order requested by the
22 subscriber.

23 (2) Each subscriber served by a directory shall be furnished
24 one copy of that directory for each access line. Subject to
25 availability, additional directories shall be provided by the local

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

1 exchange telecommunications company, which may charge a reasonable
2 fee therefor. Within 30 days after the effective date of this rule
3 each exchange company shall file with the Commission a tariff
4 setting forth the fee, if any, and the conditions under which it
5 will apply. Copies of each directory shall be furnished to the
6 Bureau of Service Evaluation. When expanded calling scopes are
7 involved, as with Extended Area Service, each subscriber shall be
8 provided with directory listings for all published telephone
9 numbers within the local service area.

10 (3) (a) The name of the local exchange telecommunications
11 company, the individual exchanges included in the directory and the
12 month/year of issuance shall appear on the front cover of each
13 directory.

14 (b) Beginning with directories issued on or after January 1,
15 1995, the following information shall listed on the inside of the
16 front cover of the directory:

17 1. "911" instructions for exchanges with "911" service.
18 Such "911" instructions shall be at the top of the inside front
19 cover and shall be outlined in order to be separate from other
20 information on the inside front cover. "911" shall be the only
21 listed emergency number; all other numbers on the inside front
22 cover shall be listed as "nonemergency" or "other important
23 numbers."

24 2. For exchanges where "911" emergency service is not
25 provided, emergency calling instructions and numbers including

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

1 those of the police, sheriff, fire departments and ambulance
2 services used by local government in case of emergency. Such
3 emergency calling instructions shall be listed at the top of the
4 inside front cover and shall be outlined and separate from other
5 information. All other numbers on the inside front cover shall be
6 listed as "nonemergency" or "other important numbers."

7 3. The information required by Section 395.1027, F.S.

8 (c) The following notice shall be conspicuously listed on the
9 inside front cover or first page of the directory:

10 FLORIDA PUBLIC SERVICE COMMISSION INQUIRIES

11 CUSTOMERS OF UTILITIES AND COMPANIES REGULATED BY THE COMMISSION
12 WHO HAVE FIRST CONTACTED SUCH A FIRM CONCERNING A PROBLEM, AND ARE
13 NOT SATISFIED BY THE CORRECTIVE ACTION TAKEN MAY CONTACT:

14 COMISION DE SERVICIO PÚBLICO DEL ESTADO DE LA FLORIDA:

15 TODOS LOS CLIENTES DE UTILIDADES Y EMPRESAS REGULADAS EN LA FLORIDA

16 QUE HAYAN INICIADO CONTACTO CON DICHA ENTIDAD Y NO ESTÉN

17 SATISFECHOS CON LA RESOLUCIÓN DE SU QUEJA Y/O INVESTIGACIÓN PUEDEN

18 DIRIGIRSE A:

19 THE FLORIDA PUBLIC SERVICE COMMISSION

20 Division Of Consumer Affairs

21 2540 Shumard Oak Boulevard

22 Tallahassee, Florida 32399-8153

23 Phone Toll Free (TDD & Voice) 1-800-342-3552

24 Facsimile Toll Free 1-800-511-0809

25 Internet E-mail address for filing complaints:

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

1 CONTACT@PSC.STATE.FL.US

2 Internet Address for retrieving information:

3 http://www.state.fl.us/psc/psc_toc.html

4 (4) The following information shall appear in the front pages
5 of the directory, preceding subscriber listings, along with an
6 index where there are four or more pages of such information:

7 (a) Directions for the use of local exchange and long
8 distance telephone services and calls to repair and directory
9 assistance services.

10 (b) Application and amount of directory assistance charges
11 contained in company tariffs.

12 (c) Application and amount of charges for line busy
13 verification, emergency interrupt and maintenance/repair services.

14 (d) The location of telephone company public business offices
15 located in the area(s) contained in the directory.

16 (e) Identification of customer payment locations and an
17 explanation of discontinuance of service procedures for local
18 service.

19 (f) Policy on customer owned equipment and inside wiring
20 shall include, but not be limited to the following information,
21 separately stated:

- 22 1. A layman's description of inside wiring.
- 23 2. A layman's description of demarcation point.
- 24 3. A layman's description of the customer's responsibility
25 for all wiring on the customer's side of the demarcation

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

1 point.

2 4. A generic description of the various types of vendors
3 which sell repair equipment.

4 5. A generic list of the types of service vendors providing
5 maintenance or repair of inside wire, or customer
6 premises equipment.

7 6. Instructions on how to determine whether the customer or
8 the telephone company is responsible for needed repairs.

9 7. Instructions for determining when a phone jack is
10 defective.

11 8. Instructions for determining when a telephone is
12 defective.

13 (g) Policy on the recording of telephone conversations.

14 (h) Policy on harassing calls and sales solicitations
15 generated by illegal automatic dialing equipment.

16 (i) Policy on various violations of law arising from the
17 illegal use of telephone equipment and service.

18 (j) A conspicuous notice of the availability of the "No Sales
19 Solicitation" list offered through the Florida Department of
20 Agriculture and Consumer Services, Division of Consumer Services,
21 and the 800 number to contact for further information.

22 (5) Directory assistance operators shall maintain records of
23 all telephone numbers (except for non-published telephone numbers)
24 in the area for which they have the responsibility of furnishing
25 service. Directory assistance records must also contain listings

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

1 for "Poison Information Center" and the local telephone number,
2 where the area served by the directory assistance operator has
3 local calling to a Poison Information Center. If no local
4 telephone number exists, then the toll-free telephone number of a
5 Poison Information Center shall be listed. All new or changed
6 listings shall be provided to directory assistance operators within
7 48 hours after connection of service, excluding Saturdays, Sundays
8 and holidays.

9 (6) In the event of an error in the listed number of any
10 subscriber, each local exchange telecommunications company shall
11 intercept all calls to the listed number for the period of time
12 required to comply with Rule 25-4.074, provided the listed number
13 is not in service. In the event of an error or omission in the
14 name listing of a customer, the customer's correct name and
15 telephone number shall be listed in the directory assistance and
16 intercept records and the correct number furnished the calling
17 party upon request or interception.

18 (7) When a subscriber will establish a residence or business
19 shortly after the close of subscriber listing records but preceding
20 publication, the local exchange telecommunications company shall,
21 upon request, establish and list service at the requested new
22 address and immediately place the service on suspension. Service
23 connection and other appropriate local service charges shall be due
24 and payable, independent of whether service is later restored.

25 (8) When scheduled additions or changes in plant, records or

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

1 operations will require a large group of number changes, the
2 earliest possible notice shall be given to affected customers,
3 regardless of the time of the change relative to the directory
4 issuance cycle.

5 (9) The local exchange telecommunications company shall not
6 change a subscriber's telephone number without good cause and at
7 least 30 days prior notice to the affected subscriber.

8 Specific Authority 350.127(2) FS.

9 Law Implemented 364.03, 395.1027 FS.

10 History--New 12-1-68, Amended 3-31-76, 1-4-78, 12-10-84, Formerly
11 25-4.40, Amended 11-28-89, 3-31-91, 2-11-92, 12-6-94, 5-8-96, _____
12 _____.

13
14
15
16
17
18
19
20
21
22
23
24
25

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

BellSouth believes that customers could benefit because "the proposed rule changes provide additional avenues for customers to access the Florida Public Service Commission if the customers are not satisfied with our company's response." Sprint believes there would be some benefit from the "increased customer-focused service and recognition to our Hispanic customers." TDS Telecom/Quincy Telephone Company responded that the company has a significant number of Spanish-speaking customers within its service territory and these customers should benefit from the proposed rule amendments.

REASONABLE ALTERNATIVE METHODS

Floralá, Gulf Telecommunications and St. Joseph Communications suggested that due to the limited space on the front page of the telephone directory, the Commission should allow the company to determine if the Spanish-speaking population is large enough to warrant the inclusion of the Spanish translation.

IMPACT ON SMALL BUSINESSES

No direct impact on small businesses is foreseen as none of the affected utilities qualify as a small business as defined in Section 288.703(1), Florida Statutes (1995).

IMPACT ON COMPETITION

Because the costs of the proposed amendments is expected to be minimal, there will be little impact on competition. However, Sprint notes that independent directories are not required to fulfill the Commission's rules regarding directory information. Therefore, according to Sprint, any additional directory information requirements placed on LECs "would add to the already uneven playing field between us and other independent directories."

IMPACT ON EMPLOYMENT

Minimal impact on employment is expected to result from the proposed rule amendments. There may be some additional or redirected effort to format and review the required directory information and to provide updates to Commission staff.

METHODOLOGY

A data request was sent to all certificated local exchange companies. Several meetings were held with other Commission staff for the purposes of discussion of the present rule and the proposed amendments.

JGH:tf/e-dirspn