

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 12, 1997

RECEIVED

JUN 11 1997

10:30

FPSC Records/Reporting

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

FROM: DIVISION OF COMMUNICATIONS (TUDOR, KING) *TK*  
OFFICE OF GENERAL COUNSEL (MILLER) *CM*

RE: DOCKET NO. 910496-TP-IMPLEMENTATION OF FLORIDA TELE-  
COMMUNICATIONS ACCESS SYSTEM ACT OF 1991

DOCKET NO. ~~90598~~-TP-REQUEST FOR SUBMISSION OF PROPOSAL  
FOR PROVISION OF RELAY SERVICE, BEGINNING IN JUNE 1997,  
FOR THE HEARING AND SPEECH IMPAIRED, IN COMPLIANCE WITH  
THE FLORIDA TELECOMMUNICATIONS ACCESS SYSTEM ACT OF 1991

AGENDA: 06/24/97 - REGULAR AGENDA - PROPOSED AGENCY ACTION (ISSUE  
2 ONLY) - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\CMU\WP\910496.RCM

DISCUSSION OF ISSUES

ISSUE 1: Should MCI's current contract be amended?

RECOMMENDATION: Yes. Section B.41 of MCI's Proposal, which has been incorporated into the contract, should be amended to extend the time permitted for submission of MCI's monthly invoice from the 7th calendar day of the month to the 21st calendar day of the month. (KING)

STAFF ANALYSIS: The current contract with MCI, which began on June 1, 1997 and runs through May 31, 2000, requires that the company submit its invoice by the 7th calendar day of the month. In an attempt to bring national consistency to its relay operations (MCI provides relay service in several states), MCI has asked that the current Florida contract be amended to extend the time permitted for submission of its monthly invoice from the 7th calendar day to the 21st calendar day of the month (Attachment A, pages 4&5). If this amendment is approved, the first invoice will be submitted on July 21st instead of July 7th. Since the suggested change will also benefit the relay administrator by allowing its funds to be held in an interest bearing account for a longer period of time, staff recommends approval of the amendment to Section B.41 of the MCI Proposal.

DOCUMENT NUMBER-DATE

05785 JUN 11 97

FPSC-RECORDS/REPORTING

DOCKET NOS. 910496-TP, 960598-TP  
DATE: June 12, 1997

**ISSUE 2:** Should Mr. Jerry Conner be named to the Advisory Committee?

**RECOMMENDATION:** Yes. (KING)

**STAFF ANALYSIS:** The Telecommunications Access System Act (TASA) allows the Advisory Committee to consist of up to ten members recommended by various organizations and named to the committee by the Commission. Mr. Donald Brandt, the incumbent nominee for The Deaf Service Center Association (DSCA), has resigned from that position.

On May 28, 1997, Ron Opatich, President/DSCA, submitted a letter (Attachment B, page 6) nominating Mr. Conner to fill the open position created by Mr. Brandt's departure. It appears that Mr. Conner fulfills the requirements of section 427.706(1) of the TASA law which addresses the necessary characteristics and qualifications one must have to become an Advisory Committee member. TASA requires the DSCA nominee be "one person with experience in providing relay service." Mr. Conner meets the requirement. Staff recommends that Mr. Conner be named to the Advisory Committee.

DOCKET NOS. 910496-TP, 960598-TP  
DATE: June 12, 1997

ISSUE 3: Should Docket No. 910496-TP be closed?

RECOMMENDATION: Yes. (MILLER)

STAFF ANALYSIS: Docket 910496-TP should be closed since the previous contract with MCI expired on May 31, 1997.

ISSUE 4: Should Docket No. 960598-TP be closed?

RECOMMENDATION: No. (MILLER)

STAFF ANALYSIS: Docket 960598-TP should remain open for the duration of the current contract with MCI.

**AMENDMENT NUMBER ONE TO THE AGREEMENT BETWEEN MCI  
TELECOMMUNICATION CORPORATION AND  
THE FLORIDA PUBLIC SERVICE COMMISSION**

This Amendment ("Amendment") is made and entered into by and between MCI Telecommunications Corporation ("MCI") and the Florida Public Service Commission ("Commission" or "PSC").

WHEREAS, the parties have entered into an agreement for MCI to provide telecommunications relay service for the State of Florida ("Agreement") beginning June 1, 1997;

WHEREAS, the parties have agreed to extend the time permitted for submission of the monthly invoice.

NOW THEREFORE, and in consideration of the terms and conditions herein, the parties agree as follows:

1. The terms and conditions of the existing Agreement, including all existing addenda or amendments thereto, are incorporated herein by reference and shall remain in full force and effect except as specifically set forth herein. The capitalized terms in this Amendment shall have the same meaning as those terms defined in the Agreement.
2. The parties agree to amend Section B.41 of the MCI response to the Request for Proposal, which has been incorporated into the Agreement by deleting the first sentence and replacing it with the following:

By the 21<sup>st</sup> calendar day of the month (or subsequent business day if the 21<sup>st</sup> falls on a Saturday, Sunday, or holiday), the provider shall submit a detailed invoice (showing billable minutes and rates) to the Administrator [defined in s.427.703(1)] at the contracted price for the previous month's activity. The accounting period used to prepare monthly invoices shall be the calendar month. Payment shall not exceed the prices contained in the contract. The invoice and supporting documentation shall be prepared in such a way as to allow the Administrator or the FPSC to audit the invoice. A copy of the monthly invoice shall be submitted to the contract manager at the same time it is submitted to the Administrator.

3. This Amendment shall be effective upon the signing of both parties ("Effective Date") and shall expire coterminously with the term of Agreement.

**IN WITNESS WHEREOF**, the parties have caused this Amendment to be executed by their duly authorized representatives as of the dates set forth below.

**MCI TELECOMMUNICATIONS**

**FPSC**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_



941-936-3080

**DEAF SERVICE CENTER ASSOCIATION**  
12995 S. Cleveland Avenue  
Suite 105-D  
Fort Myers, FL 33907-3890

February 5, 1997

Mr. Richard Tudor  
Florida Public Service Commission  
Division of Communications  
101 East Gaines Street  
Tallahassee, FL 32399-8153

Dear Mr. Tudor:

With regard to the Deaf Service Center's participation with the PSC, Mr. Don Brant is no longer able to represent us. We do still wish to be active and therefore request a change in our representative.

I will appreciate your presenting our desire to name Mr. Jerry Conner as our new delegate, replacing Mr. Brant immediately. Please contact me regarding the status of this change request and the date and time of the next meeting. We would like to participate in it.

I look forward to hearing from you soon.

Sincerely,

A handwritten signature in cursive script that reads 'Ronald Opatich'.

Ronald Opatich, President  
Deaf Service Center Association

RO:rb