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FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE TITLE:

RULE NO.:

Operation of Telecommunications Relay Services

25-4.160

PURPOSE AND EFFECT: The purpose of the amendments is to ensure that the public has access to the information on certain telecommunications services defined as "basic", to define the term "local exchange telecommunications company" and to provide cross references in the parts relating to alternative local exchange companies and shared tenant service providers.

The effect of the proposed amendments is to make available to the public price list information for 'basic' services and to ensure that providers of local telecommunications exchange services will collect and remit the surcharge required for funding of the Telecommunications Relay Service.

SUBJECT AREA TO BE ADDRESSED: Expanding the scope of telecommunications relay service operations and price lists to include STS providers and ALECs.

SPECIFIC AUTHORITY: 427.704(8), FS.

LAW IMPLEMENTED: 427.704(4), (5), FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD A RULE

DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE, AND PLACE

SHOWN BELOW:

TIME AND DATE: 10:00 a.m. Thursday, November 13, 1997

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, FL 32399-0850

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10068 OCT-15
FPSC-RECORDS/REPORTING

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO DIANA CALDWELL, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Anne Marsh, Division of Communications, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-4.160 Operation of Telecommunications Relay Services.

(1) For intrastate toll calls received from the relay service, each local exchange and interexchange telecommunications company billing relay calls shall discount relay service calls by 50 percent off of the otherwise applicable rate for a voice nonrelay call except that where either the calling or called party indicates that either party is both hearing and visually impaired, the call shall be discounted 60 percent off of the otherwise applicable rate for a voice nonrelay call. The above discounts apply only to time-sensitive elements of a charge for the call and shall not apply to per call charges such as a credit card surcharge. In the case of a tariff which includes either a discount based on number of minutes or the purchase of minutes in blocks, the discount shall be calculated by discounting the minutes of relay use before the

tariffed rate is applied.

(2) When a local exchange telecommunications company passes a call to the Florida relay service provider, it shall also forward the calling party's originating telephone number if the calling party's central office has that capability.

(3) To fund the telecommunications access system established under Part II of Chapter 427, F.S., all local exchange telecommunications companies shall impose a monthly surcharge on all local exchange telecommunications company subscribers, excluding federal and state agencies, on an individual access line basis, except that such surcharge shall not be imposed upon more than 25 basic telecommunications access lines per account bill rendered.

(a) A local exchange telecommunications company shall consider an account bill rendered in a manner consistent with its billing practices for other telecommunications services.

(b) Except as otherwise provided by law, the surcharge billed by the local exchange telecommunications companies is not subject to any sales, use, franchise, income, municipal utility, gross receipts, or any other tax, fee, or assessment, nor shall it be considered revenue of the local exchange telecommunications companies for any purpose.

(c) All local exchange telecommunications companies shall include the surcharge as a part of the local service charge that appears on the customer's bill except that the surcharge may be itemized if a company monthly itemizes all local service charges. However, the local exchange telecommunications company shall

itemize the surcharge on the initial bill to the subscriber and itemize it at least once annually. The local exchange telecommunications company may deduct and retain 1 percent of the total surcharge amount collected each month to recover the billing, collecting, remitting, and administrative costs attributed to the surcharge. All moneys received by the local exchange telecommunications company, less the authorized amount retained, shall be submitted so as to be received by the Administrator within fifteen days after the end of the previous month. Each local exchange telecommunications company shall follow the same procedures for collecting this surcharge as for collecting for other regulated telecommunications services.

(4) For purposes of this part, the term "local exchange telecommunications company" shall be as defined in Section 427.703(7), FS. The term shall include shared tenant service providers and alternative local exchange companies.

Specific Authority 427.704(8) FS.

Law Implemented 427.704(4), (5) FS.

History--New 9-16-92, Amended _____.