

ORIGINAL

Legal Department

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BellSouth Telecommunications, Inc.
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January 26, 1998

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

Re: Docket Nos. 970744-TP and 970744-TP (Fed. Lifeline Asst. Plan)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Protest of Proposed Agency Action, which we ask that you file in the above-captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU Marsh
- CTR _____
- EAG _____
- LEG L NBW/vf
- LIN _____
- OPC _____
- RCH _____
- SEC I
- WAS _____
- OTH _____

Sincerely,

Nancy B. White
Nancy B. White *(NW)*

cc: All parties of record
A. M. Lombardo
R. G. Beatty
William J. Ellenberg II

RECEIVED & FILED

Law
FPSC BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

01376 JAN 26 88

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Establishment of eligible) Docket No.: 970644-TP
telecommunications carriers pursuant)
to Section 214(e) of the)
Telecommunications Act of 1996)
_____)

In re: Implementation of changes in) Docket No. 970744-TP
the Federal Lifeline Assistance Plan)
currently provided by)
telecommunications carriers of last)
resort)
_____) Filed: January 26, 1998

**BELLSOUTH'S PROTEST OF
PROPOSED AGENCY ACTION**

BellSouth Telecommunications, Inc., ("BellSouth") hereby protests Order No. PSC-98-0026-FOF-TP ("Order") in which the Commission proposes to require Eligible Telecommunications Carriers ("ETCs") to "continue with plans for implementation of full toll limitation services regardless of the FCC's decision on the matter." In support of its protest, BellSouth states:

1. BellSouth's official address for its Florida regulatory operations is:

BellSouth Telecommunications, Inc.
150 South Monroe Street
Suite 400
Tallahassee, Florida 32301

2. The names of BellSouth's representatives in this proceeding are:

Nancy B. White
150 West Flagler Street
Suite 1910
Miami, Florida 33130

William J. Ellenberg II
675 West Peachtree Street
Suite 4300
Atlanta, GA 30375

3. BellSouth is a local exchange company providing local exchange and intraLATA toll service in Florida. BellSouth is also an ETC in Florida.

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4. BellSouth protests the Commission's requirement to continue with implementation plans for toll limitation during the one year waiver granted by the Order on the grounds that BellSouth cannot implement or develop plans for such implementation without timely recording and rating information from interexchange carriers ("IXCs").

5. BellSouth can provide toll blocking as ordered by this Commission. Toll blocking allows customers to block the completion of outgoing toll calls from their telephone. This Commission also ordered that BellSouth implement toll control or toll limitation. Toll control allows customers to specify a monetary amount of toll usage to be incurred on their telephone each month.

6. BellSouth cannot provide toll control without receiving recording and rating information on a timely basis from every toll carrier the customer may use during the billing cycle. This information must be provided in a real-time basis. This information would have to come from the IXCs. If BellSouth does not perform the billing function for the IXC, the IXC must develop a system to collect this information for each Lifeline customer and provide it to BellSouth. Unless this Commission requires IXCs to provide this information, BellSouth cannot implement toll control.

7. Moreover, the FCC has recently clarified its universal service order to hold that toll blocking or toll control are acceptable toll limitation requirements for Lifeline customers.

8. The substantial interests of BellSouth are affected by the Order in that BellSouth cannot comply with the requirements therein.

9. The only issue of material fact is whether BellSouth can move forward with implementation plans for toll control at the present time.

10. BellSouth is entitled to relief under Chapter 120 and Chapter 364, Florida Statutes, and Chapter 25-22, Florida Administrative Code.

WHEREFORE, BellSouth protests the Order proposing to require BellSouth to continue with implementation plans for toll control service, requests that a hearing pursuant to Section 120.57 be held on this issue, and requests that the Commission grant such other relief as is necessary and proper under the circumstances.

CERTIFICATE OF SERVICE
Docket Nos. 970644-TP and 970744-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. Mail this 26th day of January, 1998 to the following:

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Nancy B. White

Respectfully submitted this 26th day of January, 1998.

Robert G. Beatty (Pat)

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