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January 28, 1998

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

RE: Statement of Positions on Issues - Docket No. [REDACTED]

Dear Ms. Bayo:

Sprint-Florida, Incorporated provides its statement of issues positions as requested by the prehearing officer in the above mentioned docket.

Recognizing the need for consistency across all jurisdictions, Sprint-Florida, Inc. is generally opposed to differing rules applicable in different jurisdictions. Nevertheless, Sprint-Florida submits the following responses to the specific issues within each rule as proposed:

**Issue 1. Should the Commission adopt Rule 25-24.845, Florida Administrative Code?**

Position: Sprint-Florida, Inc. does not oppose adoption of these proposed rule if it is determined by the Commission that additional rules are necessary; however, as stated above, Sprint-Florida, Inc. believes that consistency in rulemaking across jurisdictions is beneficial and allows for consistent and effective enforcement of the rules.

**Issue 2. Should the Commission adopt the proposed amendments to Rule 25-4.003, Florida Administrative Code?**

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP 1
- CAF 1
- CMU 1
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- LIN 5
- OPC \_\_\_\_\_
- RCH 1
- SEC 1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

Position: Sprint-Florida, Inc. does not oppose adoption of these proposed rule amendments if it is determined by the Commission that additional rules are necessary. Sprint-Florida, Inc. believes the proposed changes to definitions of telecommunications terms can be beneficial.

**Issue 3. Should the Commission adopt the proposed amendments to Rule 25-24.110, Florida Administrative Code?**

Position: Sprint-Florida, Inc. does not oppose adoption of these rule amendments as proposed except for Sprint-Florida's position with respect to the following items: Sprint-Florida believes that addition of the certificate number (Rule 25-4.110 (10) (a)) and type

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of service notification to the bill (Rule 25-4.110 (10) (b)) will provide little if any value, while adding significant cost. Sprint-Florida further believes that implementation of the bill block option (Rule 25-4.110 (11) (a) 3) would be costly, and could be very confusing to end users and may require development of industry standards for the exchange of billing information. If there is a need for developing industry standards, the time required to develop such functionality would factor into the availability of the option to end users. Sprint-Florida has not had sufficient time to evaluate industry-wide standards requirements.

**Issue 4. Should the Commission adopt the proposed amendments to Rule 25-4.118, Florida Administrative Code?**

**Position:** Sprint-Florida, Inc. does not oppose adoption of the PIC change requirements in the proposed rule should be implemented with the following exceptions:

**Rule 25-4.118 (2) (b), Florida Administrative Code:**

Sprint-Florida believes that this proposal would impose significant costs but fail to effectively address the root cause of slamming. These costs will flow to customers and may prevent other service providers from entering the Florida market.

**Rule 25-4.118 (2) (b) (2), Florida Administrative Code:**

Sprint-Florida also opposes the proposal that would require audio recording verification of inbound customer initiated calls because evidence suggests that very few slamming complaints result from inbound customer initiated calls and that the cost of implementing such a requirement would far outweigh the benefits.

**Rule 25-4.118 (2) (d) 5, Florida Administrative Code:**

Sprint-Florida does not support the proposed rule that would require the customer to return a signed postcard in the event PIC change verification occurred via the welcome package option. Our experience with this process would indicate that implementation of this rule would result in customer confusion and cause unnecessary delays in the PIC change process. Additionally, the process may result in customer dissatisfaction and make entry into the market difficult for competitive providers. Sprint believes that there would be a large percentage of consumers who would not return the postcard for various reasons such as forgetting to send the card or not realizing the card must be returned to effect the change.

**Rule 25-4.118 (8), Florida Administrative Code:**

The proposed rule which states that charges for unauthorized provider changes and all charges for the first 90 days or first three billing cycles, whichever is longer, shall be credited by the company responsible for the error within 45 days of notification is opposed by Sprint-Florida on the basis that customers who claim to have been slammed should not be relieved of the duty to pay for any of the charges for calls or other services that were actually incurred by the customer during the time they were assigned to an unauthorized carrier. They should be required to pay for the services received at the rates of their previous carrier. Any rule that absolves a customer of their financial responsibility only provides incentives for bogus slamming complaints, thereby increasing the number of customer complaints.

**Rule 25-4.118 (14), Florida Administrative Code:**

Sprint believes that for LECs there is no evidence in this record that demonstrates that additional answer time requirements would be cost effective in addressing slamming and cramming. Clearly, there is no evidence to support the value of twenty-four hour mechanized answering.

**Issue 5. Should the Commission adopt the proposed amendments to Rule 25-24.490, Florida Administrative Code?**

**Position:** Sprint-Florida takes no position on this issue.

Enclosed is a disk with the information contained in this letter. Please call Charles Rehwinkel at 850/847-0244 if you have any questions regarding this filing.

Sincerely,

  
F. Ben Poag