

Commissioners:  
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DIVISION OF APPEALS  
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# Public Service Commission

March 10, 1998

Mr. Carroll Webb  
Joint Administrative Procedures  
Committee  
120 Holland Building  
Tallahassee, Florida 32399

Re: Docket No. 980037-TP - Proposed Amendments to Rule 25-4.160, F.A.C., Operation of Telecommunications Relay Service; Rule 25-24.585, F.A.C., Records and Reports; Rule Incorporated; Rule 25-24.825, F.A.C., Price List; and Rule 25-24.835, F.A.C., Records and Reports; Rules Incorporated

Dear Mr. Webb:

The Commission has approved the amendments of Rules 25-4.160, 25-24.585, 25-24.825 and 25-24.835, F.A.C., without changes.

We plan to file the rule for adoption on March 18, 1998.

Sincerely,

*Diana W. Caldwell*  
Diana W. Caldwell  
Associate General Counsel

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Enclosure

cc: Division of Records & Reporting ✓

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1 25-4.160 Operation of Telecommunications Relay Services.

2 (1) For intrastate toll calls received from the relay  
3 service, each local exchange and interexchange telecommunications  
4 company billing relay calls shall discount relay service calls by  
5 50 percent off of the otherwise applicable rate for a voice  
6 nonrelay call except that where either the calling or called party  
7 indicates that either party is both hearing and visually impaired,  
8 the call shall be discounted 60 percent off of the otherwise  
9 applicable rate for a voice nonrelay call. The above discounts  
10 apply only to time-sensitive elements of a charge for the call and  
11 shall not apply to per call charges such as a credit card  
12 surcharge. In the case of a tariff which includes either a  
13 discount based on number of minutes or the purchase of minutes in  
14 blocks, the discount shall be calculated by discounting the minutes  
15 of relay use before the tariffed rate is applied.

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

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

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1 | than 25 basic telecommunications access lines per account bill  
2 | rendered.

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

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

12 | (c) All local exchange telecommunications companies shall  
13 | include the surcharge as a part of the local service charge that  
14 | appears on the customer's bill except that the surcharge may be  
15 | itemized if a company monthly itemizes all local service charges.  
16 | However, the local exchange telecommunications company shall  
17 | itemize the surcharge on the initial bill to the subscriber and  
18 | itemize it at least once annually. The local exchange  
19 | telecommunications company may deduct and retain 1 percent of the  
20 | total surcharge amount collected each month to recover the billing,  
21 | collecting, remitting, and administrative costs attributed to the  
22 | surcharge. All moneys received by the local exchange  
23 | telecommunications company, less the authorized amount retained,  
24 | shall be submitted so as to be received by the Administrator within  
25 | fifteen days after the end of the previous month. Each local

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1 exchange telecommunications company shall follow the same  
2 procedures for collecting this surcharge as for collecting for  
3 other regulated telecommunications services.

4 (4) For purposes of this part, the term "local exchange  
5 telecommunications company" shall be as defined in Section  
6 427.703(7), F.S. The term shall include shared tenant service  
7 providers and alternative local exchange companies.

8 Specific Authority: 427.704(8), F.S.

9 Law Implemented: 427.704(4), (5), F.S.

10 History--New 9/16/92, Amended.

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1 25-24.585 ~~Records and Reports~~, Rules Incorporated.

2 (1) The following rules are incorporated herein by reference  
3 and apply to shared tenant service companies:

SECTION	TITLE	PORTIONS NOT APPLICABLE
25-4.019	Records and Reports in General	<u>All</u> None
25-4.020	Location and Preservation of Records	<u>All except (1)</u> <u>and (3)+(2)</u>
25-4.043	Response to Commission Staff Inquiries	<u>All</u> None
25-4.0161	Regulatory Assessment Fees; Telecommunication Companies	<u>All</u> None
<u>25-4.160</u>	<u>Operation of Telecommunications</u> <u>Relay Service</u>	<u>All</u>

14 (2) Each shared tenant service company shall file with the  
15 Commission's Division of Communications updated information for the  
16 following items within ten days after either such change occurs.

17 (a) The mailing address of the certificate holder.

18 (b) Name, title, and phone number of individual responsible  
19 for Commission contacts.

20 Specific Authority: 350.127(2), 427.704(8), F.S.

21 Law Implemented: 350.113, 364.016, 364.17, 364.18, 364.183,  
22 364.185, 364.339, F.S.

23 History--New 1/28/91, Amended 12/29/91, 11/13/95, 7/29/97, \_\_\_\_\_.

24 25-24.825 Price List.

25 (1) Prior to providing service, each company subject to these

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1 rules shall file and maintain with the Commission a current price  
2 list which clearly sets forth the following information for the  
3 provision of residential dial tone, single-line business dial tone,  
4 and dial tone with any combination of the services included as part  
5 of basic local telecommunications services, as defined in s.  
6 364.02(2), F.S. If residential dial tone, single-line business  
7 dial tone, or dial tone with any combination of the services  
8 included as part of basic local telecommunications service is  
9 offered on a package basis, the following information must be  
10 provided for each ~~the~~ package:

11 (a) current prices,  
12 (b) customer connection charges,  
13 (c) billing and payment arrangements, and  
14 (d) levels of service quality which the company holds itself  
15 out to provide for each service.

16 (2) At the company's option, price list information in  
17 paragraph (1) above and other information concerning the terms and  
18 conditions of service may be filed for services other than basic  
19 local telecommunication services.

20 (3) A price list revision must be physically received by the  
21 Commission's Division of Communications at least one day prior to  
22 its effective date.

23 (4) Price lists must be on 8 1/2 by 11 inch paper in  
24 loose-leaf form and must utilize an ongoing page identification  
25 system which will allow for the identification of inserted and

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1 removed pages. The color of paper on which price lists are filed  
2 must be amenable to being clearly photocopied on standard photocopy  
3 equipment.

4 (5) Complete information concerning a company's service  
5 offerings, rates and charges, conditions of service, service  
6 quality, terms and conditions, service area, and subscribership  
7 information identified by local exchange company exchange must be  
8 made available to Commission staff upon request.

9 Specific Authority: 350.127(2), F.S.

10 Law Implemented: 364.04, 364.337(5), F.S.

11 History--New 12/27/95, Amended.

12 25-24.835 ~~Records and Reports~~, Rules Incorporated.

13 The following rules are incorporated herein by reference and  
14 apply to alternative local exchange companies.

15 Section Title

16 25-4.0161 Regulatory Assessment Fees

17 25-4.043 Response to Commission Staff Inquiries

18 25-4.036 Design and Construction of Plant

19 25-4.038 Safety

20 25-4.160 Operation of Telecommunications Relay Service

21 Specific Authority: 350.127(2), 427.704(8), F.S.

22 Law Implemented: 364.336, 364.337, F.S.

23 History--New 12/27/95, Amended.

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