



ORIGINAL
Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: AUGUST 3, 1999
TO: IXC's, LEC's, ALEC's
FROM: TIMOTHY J. DEVLIN, DIRECTOR OF AUDITING & FINANCIAL ANALYSIS
RE: COMPLIANCE WITH CHAPTER 364.604, FLORIDA STATUTES, BILLING PRACTICES, AND OTHER INFORMATION

Chapter 364.604, Florida Statutes, became effective June 30, 1999. The staff of the Florida Public Service Commission is in the process of determining the steps currently taken by companies to ensure that they are in compliance with the provisions of Chapter 364.604, Florida Statutes. Your responses to the questions below are due on or before August 20, 1999. Please send them to following address:

Ann Causseaux
 Chief of Financial Analysis
 Florida Public Service Commission
 2540 Shumard Oak Blvd.
 Tallahassee, FL 32399

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**DATA REQUEST REGARDING COMPLIANCE WITH CHAPTER 364.604, FLORIDA
STATUTES, BILLING PRACTICES, AND OTHER INFORMATION**

Effective June 30, 1999, Chapter 364.604(1), Florida Statutes, requires the following:

~~(1) - Each billing party must clearly identify on its bill the name and toll-free number of the originating party; the telecommunications service or information service billed; and the specific charges, taxes, and fees associated with each telecommunications or information service. The originating party is responsible for providing the billing party with all required information. The toll-free number of the originating party or its agent must be answered by a customer service representative or a voice response unit. If the customer reaches a voice response unit, the originating party or its agent must initiate a response to a customer inquiry within 24 hours, excluding weekends and holidays. Each telecommunications carrier shall have until June 30, 1999, to comply with this subsection.~~

Addressing the statutory requirements listed above, answer the following questions. *Please provide the name, title, address, phone number, and E-mail address of the person responding.*

1. Do you comply with the above statutory requirements?
2. How do you comply with the above statutory requirements?
3. If you have a written procedure for compliance, please provide a copy.
4. If the originating party does not provide the required information, how is it obtained?
5. How do you ensure the accuracy of the information provided to you by the originating party? Obtained directly by you? What procedures do you have for dealing with incorrect information? Please provide a copy.
6. Provide a copy of the reference materials used by the customer service representative in answering Florida specific inquiries or complaints.
7. If there are different reference materials used in responding to Florida specific tax, fee, and surcharge questions, please provide a copy of those materials.
8. Do you believe the language "specific charges and fees" requires that the bill be broken down by rate element or by a different level of detail? Please explain.
9. Under what circumstance do you refer billing complaints? To whom are they referred? Do you ever direct a customer to call someone else about a billing complaint? If so, what circumstances would cause you to do so? Whom do you suggest they call?
10. What procedures do you have to address the related taxes, fees, and surcharges when a customer informs your company that there are charges on their bill for services that they did not order or for which they were not provided? What procedures do you have to address billing complaints related only to taxes, fees, and surcharges? Please provide a copy of each of these procedures.

11. What records do you keep which document the number and type of tax, fee, and surcharge billing complaints your company receives every month? Is there a complaint tracking system which documents how and when each complaint related specifically to taxes, fees, and surcharges incorrectly charged was resolved? If there is a large number of complaints involving billings for taxes, fees, and surcharges where your company is the originating company, what actions do you take in determining the reason for this problem and in eliminating the problem? Provide any sample documents and/or procedures which apply to these questions. When there are billing problems related solely to taxes, fees, and surcharges what is your refund policy? Please provide a copy of the policy.
12. Please provide a copy of a bill that illustrates your compliance with Chapter 364.604(1).
13. Provide a listing of each service included in the base of each tax, fee, or surcharge shown on the sample bill, the applicable tax, fee, or surcharge rate, and the authority by which the tax, fee, or surcharge may be charged.
14. Define the following terms:
 - a. Originating party
 - b. Telecommunications service
 - c. Information service
 - d. Carrier

Paragraph (2) of Chapter 364.604(2), Florida State Statutes, requires the following:

(2) A customer shall not be liable for any charges for telecommunications or information services that the customer did not order or that were not provided to the customer.

Addressing the requirements of the statute quoted immediately above, complete the following questions. *Please provide the name, title, address, phone number, and E-mail address of the person responsible for the answers you give.*

15. What procedures does your company have to assure that customers are not billed for telecommunications or information services not ordered by nor provided to your customers? Please provide a copy of these procedures.
16. What procedures do you have when a customer informs your company that there are charges on their bill for services that they did not order or for which they were not provided? Please provide a copy of these procedures.
17. What records do you keep which document the number and type of billing complaints your company receives every month? Is there a complaint tracking system which documents how and when each complaint of charges for services not ordered or provided was resolved? If there is a large number of complaints involving billings for telecommunications or information services that the customer did not order where your company is the originating company, what actions do you take in determining the reason for this problem and in eliminating the problem? Provide any sample documents and/or procedures which apply to these questions.

18. If you are the billing party only, do you have any policies about refusing to continue providing billing services for an originating party which your company knows has had a lot of complaints about charging customers for services not ordered from nor provided by this particular originating party?

Chapter 364.604(4) provides for the following:

(4) A billing party shall not disconnect a customer's Lifeline local service if the charges, taxes, and fees applicable to basic local exchange telecommunications service are paid.

Addressing the statutory requirements listed above, answer the following questions. *Please provide the name, title, address, phone number, and E-mail address of the person responding.*

19. Do you comply with Chapter 364.604(4), Florida Statutes?
20. Provide documentation as to how you ensure compliance.
21. How do you determine which customers are LIFELINE customers for billing purposes?
22. Is the amount the customer must pay to avoid disconnect clearly disclosed?
23. What procedures do you have in place to ensure the customer is protected if a portion of the must pay amount is in dispute?
24. Specifically, what services do you include in basic local service?

Please respond to the following questions that are in addition to those dealing with Chapter 364.604, Florida Statutes.

25. Define the following:
- a. Deniable services
 - b. Non-deniable services
26. Do you believe that Chapter 364, Florida Statutes, conflicts in any way with the FCC's billing requirements? If so, in what specific ways does it conflict?
27. Does your company have a time certain within which the customer must receive a final answer to any inquiry or complaint? If not, why not? If so, please provide a copy of that policy.
28. Does your company have a time certain within which the regulatory body contacting your company must be contacted in regard to a customer's inquiry or complaint? If not, why not? If so, please provide a copy of the policy.
29. Does your company have a time certain within which the regulatory body, contacting the company on behalf of a customer, must receive a final answer to the contact? If not, why not? If so, please provide a copy of the policy.