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August 8, 2000
VIA Hand Delivery

Blanca S. Bayo, Director
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RECORDS AND REPORTING

Re: Docket No. 990994-TP

Dear Ms. Bayo:

Enclosed for filing and distribution are the original and 15 copies of:

- The Florida Competitive Carriers Association's, MCI WorldCom, Inc.'s , AT&T Communications of the Southern States, Inc.'s and the Association of Communications Enterprises' Comments

in the above docket.

Please acknowledge receipt of the above on the extra copy enclosed herein and return it to me. Thank you for your assistance.

Yours truly,

Vicki Gordon Kaufman

Vicki Gordon Kaufman

Brewer

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Amendments
to Rule 25-4.003, F.A.C.,
Definitions; 25-4.110, F.A.C.,
Customer Billing for Local
Exchange Telecommunications
Companies; 25-4.113, F.A.C.
Refusal or Discontinuance of
Service by Company; Rule 25-
24.490, F.A.C., Customer
Relations; Rules Incorporated;
And 25-24.845, F.A.C., Customer
Relations; Rules Incorporated.

Docket No. 990994-TP

Filed: August 8, 2000

**The Florida Competitive Carriers Association's, MCI WorldCom, Inc.'s,
AT&T Communications of the Southern States, Inc.'s and
The Association of Communications Enterprises' Comments**

Pursuant to Order No. PSC-00-1337-PCO-TP, the Florida Competitive Carriers Association (FCCA), MCI WorldCom, Inc. (WorldCom), AT&T Communications of the Southern States, Inc. (AT&T) and the Association of Communications Enterprises (ASCENT)¹ file these comments on proposed rules 25-4.110(2), (19) as applicable to alternative local exchange companies (ALECs) and interexchange companies (IXCs) which the Commission has set for hearing in this proceeding.

Introduction

FCCA is a Florida organization of competitive telecommunications providers which directs its efforts to promoting competition in all segments of the telecommunications industry. WorldCom is a certificated telecommunications provider in Florida. AT&T is a certified telecommunications provider in Florida. ASCENT is a national industry association which represents nearly 800 entities engaged in, or providing products and services in support of, the provision of telecommunications

¹ASCENT was formerly known as the Telecommunications Resellers Association (TRA).

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services. ASCENT's mandate is to foster and promote telecommunications competition, to support the competitive telecommunications industry, and to protect and further the interests of entities engaged in the provision of competitive telecommunications services. As indicated by FCCA's, WorldCom's, AT&T's and ASCENT's willingness to accept the other numerous changes which the Commission has already made to its rules in this proceeding, FCCA, WorldCom, AT&T and ASCENT support this Commission's efforts to eliminate the practice of "cramming."² However, the Commission must carefully balance consumer protection concerns against the consumer benefits of a fully competitive market.³ Most importantly, the Commission must avoid overly burdensome and expensive regulation which will impact the ability of both large and small carriers, such as many of FCCA's and ASCENT's members, to enter the Florida market and serve Florida consumers.

Remaining Proposed Rules at Issue

Two proposed rules remain at issue in this proceeding as they would apply to ALECs and IXCs: 1) the requirement for each carrier to use a specific bill format prescribed by the Commission and 2) the requirement that each carrier to have the ability to implement a billing block. Both of these proposed obligations offer the public little, if any, added protection, would involve significant costs for the industry, are contrary to the Commission's goal of promoting competition⁴, and should not

² The term "cramming" is used in these comments to refer to the inclusion of unauthorized charges on a bill for nonregulated services the consumer did not order or did not use.

³ It is FCCA's, WorldCom's, AT&T's and ASCENT's understanding that according to recent Commission statistics, cramming complaints have been significantly reduced. Thus, current rules seem to be operating appropriately.

⁴ See §§364.01(b), (d), (e), (f), Florida Statutes.

be adopted. FCCA, WorldCom, AT&T and ASCENT suggest that *if* a particular consumer wants either a particular bill format or a billing block that the consumer will either request that the carrier provide such functions or will seek out a carrier that will provide those features; there is no need to impose these requirements on the entire industry, particularly when likely only a fraction of all telecommunications users would even consider use such features. Competition will enable a particular customer to get the service he/she wants.⁵

Bill Format (25-4.110(2))

Though this portion of the rule has changed through the process to provide *some* options to carriers, it is still very prescriptive and requires a very specific billing format. FCCA, WorldCom, AT&T and ASCENT suggest that the Commission should not dictate bill format to carriers. Further, the proposed rule appears to require information that many customers do not need or want, would needlessly complicate the bill, and would impose millions of dollars of costs on carriers that would ultimately be borne by consumers. Further, the state specific requirements contained in the proposed rule are problematic for nationwide carriers and would require an entirely separate billing mechanism and process just for the state of Florida. Such Florida-specific requirements would be very expensive and unwieldy.

Billing Block (25-4.110(19))

This proposed rule would require *every* ALEC and IXC to have the capability to provide a

⁵Billing features and bill formatting may be one way in which carriers distinguish themselves in the marketplace. The Commission should not mandate that all bills look the same.

billing block⁶ upon request. As with the bill format requirements, this would be a very burdensome and expensive feature to *require* every carrier to offer. Again, if a consumer desires that feature, the marketplace will respond with companies willing to provide it; companies not willing to provide it will not be selected to serve that particular customer. The Commission should not dictate what type of services a company must provide but rather should let the marketplace do that.

⁶ In actuality, only the local carrier can implement a billing block and it would be totally unworkable for this rule to apply to IXCs.

WHEREFORE, FCCA, WorldCom, AT&T and ASCENT request that the Commission not adopt proposed rules 25-4.110(2) or (19) as applicable to ALECs and IXCs.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **Comments** have been furnished by (*) hand delivery or U.S. mail this 8th day of August 2000 to the following:

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