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ORIGINAL

July 17, 2001


Mrs. **Blanca S. Bayó**  
Director, Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: **BellSouth Telecommunications, Inc.'s** Petition  
for Emergency Temporary Rule Waiver

Dear Ms. Bayo:

Enclosed for filing please find **BellSouth Telecommunications, Inc.'s** Petition for Emergency Temporary Rule Waiver. This petition is submitted in electronic form and a paper copy will be submitted, along with a copy of this letter. Please mark the letter to indicate that the original was filed and return the copy to me.

Sincerely,

  
Nancy B. White

Enclosure

cc: Marshall M. Criser III  
R. Douglas Lackey

DOCUMENT NUMBER-DATE  
08692 JUL 17 01  
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by **BellSouth Tele-** )  
communications, Inc., for Emergency )  
Temporary Waiver of Rules **25-4.066(2)** )  
and (3); 25-4.070(3)(a), (3)(b), and (5); ) Docket No.  
25-4.073(1)(a), (1 )(c) and (1 )(d); )  
**25-4.0770(2); 25-4.040(5);** and 25-4.1 1 1, )  
Florida Administrative Code ) Filed: July 17, 2001  
\_\_\_\_\_ )

**BELLSOUTH TELECOMMUNICATIONS, INC.'S PETITION  
FOR EMERGENCY TEMPORARY RULE WAIVER**

BELLSOUTH TELECOMMUNICATIONS, INC. ("BELLSOUTH"), pursuant to Section 120.542, Florida Statutes, and Rule 28-1 04.002, Florida Administrative Code, hereby petitions the Florida Public Service Commission to waive Rules **25-4.066(2)** AND (3); 25-4.070(3)(a), (3)(b); AND 25-4.073( 1 )(a), (1 )(c) AND (1 )(d); **25-4.0770(2); 25-4.040(5);** AND 25-4.1 1 1, Florida Administrative Code, on a temporary and emergency basis.

Specifically, **BellSouth** seeks the following:

1. **BellSouth** is a local exchange company lawfully doing business in the State of Florida whose regulated operations are subject to the jurisdiction of this Commission pursuant to Chapter 364, Florida Statutes.

2. **BellSouth's** principal place of business in Florida is 150 W. Flagler Street, Suite 1910, Miami, Florida 33130. Pleadings and process may be served upon:

Nancy B. White  
c/o Nancy H. Sims  
150 South Monroe Street  
Suite 400  
Tallahassee, FL 32301

3. **BellSouth** is subject to the regulation of the Florida Public Service Commission ("Commission"). The substantial interests of **BellSouth** will be affected by the Commission's determination as to the matter set forth in this petition.

4. Rules 25-4.066(2) and (3), Florida Administrative Code require that 90% of all requests for primary service be satisfied within three working days, where facilities are available, and requires 95% of all applications for new service in each exchange within a 30 day maximum interval.

5. Rules 25-4.070(3)(a), (3)(b), and (5), Florida Administrative Code require that restoration of interrupted service shall be scheduled to insure at least 95% are cleared within 24 hours, that 95% of service affecting reports be cleared within 72 hours; and that the percentage of repeat troubles not exceed 20% of the total initial customer reports in each exchange.

6. Rules 25-4.073(1)(a), (1)(c) and (1)(d), Florida Administrative Code require that 90% of calls be answered within 30 seconds; that 90% of all calls to repair and 80% of all calls to business offices be answered within 30 seconds; and that 95% of calls be answered within 15 seconds after the last digit is dialed.

7. Rule 25-4.0770(2), Florida Administrative Code requires that 95% of appointments be kept each month. Rule 25-4.040(5), Florida Administrative Code requires that all new or changed listings shall be provided to directory assistance operators within 48 hours. Rule 25-4.1 1 1, Florida Administrative Code requires that all complaints must be responded to within 15 days.

8. By its written terms, On August 4, 2001 at 1 1:59 p.m. (Eastern), the Agreement between the Communications Workers of American (“CWA”) and **BellSouth** is scheduled to expire. **BellSouth** and the CWA are currently in negotiations to secure a new agreement. While **BellSouth** is hopeful that these negotiations will be successful, in the event that **BellSouth** is unable to negotiate a new agreement with the CWA prior to the termination of the current agreement, then a work stoppage may be initiated by the CWA. This work stoppage would affect **BellSouth’s** ability to comply with the Commission rules listed herein.

9. In the event of a work stoppage, a significant number of **BellSouth** craft employees will not report to work and management employees will be called upon to fill the void. Many of these craft employees have duties that determine **BellSouth’s** compliance with the Commission’s rules. In addition, managers that have responsibility for compliance with these rules will be reassigned to other positions.

10. **BellSouth's** waiver request meets the standards of Section 120.542, Florida Statutes. The purpose of the underlying statutes, Sections **364.01(4)**, 364.025, 364.051, 364.15, and 364.19 is, in part, to promote the public health, safety, and welfare by ensuring that basic local telecommunications services are available to all consumers. **BellSouth's** waiver will not undermine this purpose. It is **BellSouth's** intent to fulfill its obligations to provide service to the areas it serves in the event of a work stoppage. **BellSouth** will make every effort to continue to give priority restoration to those customers providing emergency services.

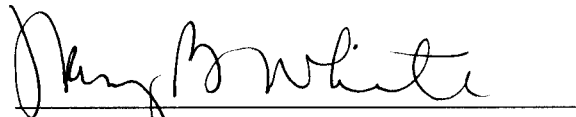
11. **BellSouth** submits that the equities in this case weigh heavily in favor of granting this waiver. Although the relief requested in this Petition may not be necessary, in the event that a work stoppage does occur, the precise duration of the need for this relief is not known. Therefore, **BellSouth** submits that the Commission should approve the waiver described above for an initial period of 30 days, starting on the date of a work stoppage, and subject to Commission review, and possible extension.

12. **BellSouth** seeks this temporary waiver on an emergency basis in light of the fact that, by its written terms, the agreement is scheduled to expire on August 4, 2001 at **11:59** p.m. (eastern). **BellSouth** will suffer immediate adverse effects unless the waiver is issued prior to that date.

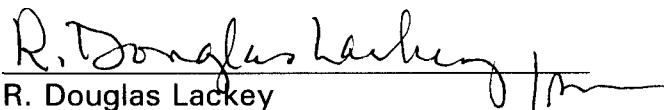
WHEREFORE, **BellSouth** requests that, having demonstrated good cause for its request, the Commission grant its Petition for Emergency Temporary Rule Waiver.

Respectfully submitted this 17<sup>th</sup> day of July, 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.



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