

VOTE SHEET

AUGUST 14, 2001

RE: DOCKET NO. 000733-TL - Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.

ISSUE 1: Is BellSouth's interest charge of 1.50% on unpaid balances, as filed in T-991139, a rate element of an existing service that is subject to the provisions of Section 364.051(5)(a), Florida Statutes?

RECOMMENDATION: Yes. BST's restructured interest charge of 1.50% on unpaid balances, as filed in T-991139, is a rate element of an existing service that is subject to the provisions of Section 364.051(5)(a), Florida Statutes.

APPROVED

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

Michael A. Palucki

[Signature]

[Signature]

[Signature]

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

09934 AUG 15 2001

FPSC-COMMISSION CLERK

VOTE SHEET

AUGUST 14, 2001

DOCKET NO. 000733-TL - Investigation to determine whether BellSouth Telecommunications, Inc.'s tariff filing to restructure its late payment charge is in violation of Section 364.051, F.S.

(Continued from previous page)

ISSUE 2: Is the interest charge filed by BellSouth in T-991139 a "new service" for the purposes of Section 364.051(5)(a), Florida Statutes?

RECOMMENDATION: No. The restructured interest charge as filed in BST's T-991139 is not a new service for the purposes of Section 364.051(5)(a), Florida Statutes.

APPROVED

ISSUE 3: Does BellSouth's tariff filing (T-991139) violate Section 364.051(5)(a), Florida Statutes? If so, what amount needs to be refunded, and how should the refund be determined and made effective?

RECOMMENDATION: Yes. BST's tariff filing (T-991139) violates Section 364.051(5)(a), Florida Statutes. Staff recommends that BST be required to discontinue assessing the restructured 1.50% interest charge on unpaid balances in excess of \$6.00 upon the issuance of an order in this proceeding. The Commission should order BST to refund all amounts collected through the restructured interest charge of 1.50%, with interest, to all affected customers within 120 days of a final order. Staff further recommends that this refund be made in the form of a credit to the affected customers' bills; where BST cannot provide a refund through a bill credit, BST should send the customers a check for the appropriate amount.

APPROVED

ISSUE 4: Should this docket be closed?

RECOMMENDATION: Yes.

APPROVED