

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

IN RE: PROPOSED ADOPTION OF NEW RULE 25-24.821, F.A.C.,
DISCONTINUANCE OF SERVICE

NOTICE OF PROPOSED RULE DEVELOPMENT

TO

ALL INTERESTED PERSONS

ISSUED: August 14, 2002

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated the development of Rule 25-24.821, Florida Administrative Code, to adopt provisions relating to discontinuance of service.

The attached Notice of Proposed Rule Development will appear in the August 23, 2002, edition of the Florida Administrative Weekly. If timely requested and not deemed unnecessary by the Commission, a rule development workshop will be held at the following time and place:

Florida Public Service Commission
9:30 a.m., October 16, 2002
Betty Easley Conference Center
Room 180, 4075 Esplanade Way
Tallahassee, Florida

The request must be submitted in writing and received by Christiana T. Moore, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, no later than September 6, 2002.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

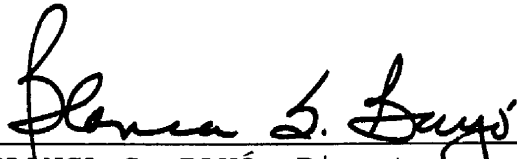
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By Direction of the Florida Public Service Commission, this
14th day of August, 2002.



BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

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THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE COMMISSION'S OFFICE OF THE GENERAL COUNSEL, CHRISTIANA T. MOORE, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6098 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Rick Moses, Division of Competitive Markets and Enforcement, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, 850-413-6582.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-24.821 Discontinuance of Service. If an ALEC intends to discontinue local telecommunications service to its customers for any reason, other than a transfer of its assets to another company where service to the customers will be continued without interruption by the other company, the ALEC shall take the

following action 45 calendar days prior to the date service will be discontinued:

(1) Furnish written notice to customers that includes:

(a) The date service will be disconnected;

(b) The reason for discontinuance;

(c) Identification of each telephone number and its associated circuit identification, if a circuit identification exists, with a statement that informs the customer to provide this information to the local service provider the customer chooses; and

(d) A statement that any deposit held by the company shall be applied to the customer's final bill and a refund will be issued within 15 days of issuance of the final bill if the deposit amount exceeds the final bill amount.

(2) Provide written notice to the Commission stating, at a minimum, the following:

(a) The certificated name of the provider;

(b) An explanation of why the company will no longer provide local service;

(c) The date the service will be discontinued;

(d) The telephone number and name of the person capable of assisting with the transition of customers to other providers;

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(e) An example copy of the written notice sent to the customers; and

(f) The total number of customers affected broken down by business, residential, and other if applicable.

(3) Remove all preferred carrier freezes from all customer accounts.

(4) Retain adequate number of personnel able to process all Local Service Requests received prior to the final discontinuance date.

(5) Apply each deposit to the customer's final bill. Any amount of a deposit that exceeds the final bill amount shall be refunded to the customer within 15 days of issuance of the final bill.

Specific Authority: 350.127(2), 364.01(4), F.S.

Law Implemented: 364.19, 364.337(5), F.S.

History: New