

ORIGINAL

NOTICE OF PROPOSED RULE DEVELOPMENT

FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE TITLE:

RULE NO.:

Discontinuance of Service

25-24.821

PURPOSE AND EFFECT: The purpose of the rule is to give customers as much prior notice as practicable that an alternative local exchange company intends to discontinue local telecommunications service and arm the customer with the necessary information to enable the customer to switch to another provider more quickly and retain his current telephone number assignment.

SUBJECT AREA TO BE ADDRESSED: Notice of discontinuance of telecommunications service.

SPECIFIC AUTHORITY: 350.127(2), 364.01(4), F.S.

LAW IMPLEMENTED: 364.19, 364.337(5), F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: October 16, 2002 - 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 180, 4075 Esplanade

Way, Tallahassee, Florida

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,

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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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;

(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_____.