

ORIGINAL

DOCKET NO. 021166-TP

CERTIFICATION OF  
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES  
FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

/X/ (1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

/X/ (2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

/X/ (3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and;

/X/ (a) Are filed not more than 90 days after the notice;

- AUS \_\_\_\_\_ or
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- EGR \_\_\_\_\_ not including days an administrative determination was pending;
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_ or
- MMS \_\_\_\_\_
- SEC I \_\_\_\_\_
- OTH \_\_\_\_\_

/ (b) Are filed not more than 90 days after the notice not including days an administrative determination was pending;

/ (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

/ (d) Are filed more than 90 days after the notice, but

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 TALLAHASSEE, FLORIDA  
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not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

  / (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

  / (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

  / (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

  / (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

  / (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

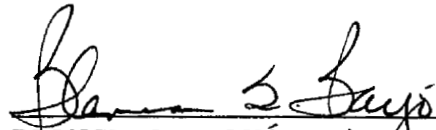
Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No.

25-4.119

Under the provision of subparagraph 120.54(3)(e)6., F.S.,  
the rules take effect 20 days from the date filed with the  
Department of State or a later date as set out below:

Effective: \_\_\_\_\_  
(month) (day) (year)

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

\_\_\_\_\_  
Number of Pages Certified

(S E A L)

SMC

1        25-4.119 Line Information Database Maintenance

2        (1) Within 6 months of the effective date of this rule, each  
3 local exchange telecommunications company shall:

4        (a) Update the Line Information Database (LIDB) with the  
5 account ownership code of the Alternative Local Exchange Company  
6 claiming the customer, provided the ALEC has contracted with the  
7 local exchange company to provide such information or has purchased  
8 the line directly from the local exchange company; and

9        (b) Provide ALECs access to LIDB, or provide updates on a  
10 contractual basis, at reasonable cost-based terms and conditions,  
11 for each ALEC that enters into a contract.

12        (2) LECs are exempt from subsection (1) of this rule if there  
13 is no ALEC within the service area that allows third-party or  
14 collect calls. If an ALEC in the service area elects to allow  
15 third-party or collect calls, the LEC shall comply with this rule  
16 within 6 months after such time.

17 Specific Authority: 350.127(2) FS.

18 Law Implemented: 350.115, 364.03 FS.

19 History: New\_\_\_\_\_.

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through type are deletions from existing law.

**SUMMARY OF RULE**

The rule will make available through the Line Information Database (LIDB) sufficient information to ensure that collect and third party calls to alternative local exchange carrier (ALEC) customers can either be properly billed through billing and collection agreements or through the acquisition of the billing name and address information from the ALEC serving the customer accepting the charges for the call.

Rule 25-4.119, F.A.C., will require the local exchange carrier (LEC) to update LIDB with the account ownership code of the ALEC when the ALEC has contracted with the LEC for this service. If the ALEC has not contracted with the LEC, subsection (1)(b) provides access to the LIDB for the ALEC to update the database directly. Paragraph (2) exempts certain LECs from the requirements of the rule.

**SUMMARY OF HEARINGS ON THE RULE**

No hearing was requested and none was held.

**FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE**

Commission staff received a complaint from an inmate who was unable to complete collect calls to his lawyer, a customer of an Alternative Local Exchange Telecommunications Company (ALEC). It was discovered that the reason the collect call was blocked was

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that the pay telephone provider had no way of billing the call. The ALEC serving the lawyer did not have a billing and collection agreement and the information contained in the Line Information Database (LIDB), which is the only information available to the company originating the call, showed the incumbent local exchange company as the owner of the line. Therefore, the ALEC could not be identified for direct contact to obtain billing name and address information for direct billing. Upon further investigation, it was discovered that this situation was not unique to confinement facility pay telephone providers, but also occurs from any telephone where a person is trying to complete a collect or third party billed call to an ALEC customer. According to Billing Concepts, which is one of the largest clearinghouse rebillers, the problem of lost revenue from unbillable calls is estimated to be a \$1 billion a year problem nationwide.

Rule 25-4.119, Florida Administrative Code, will make available through the Line Information Database (LIDB) sufficient information to ensure that collect and third party calls to ALEC customers can either be properly billed through the billing and collection agreements or through the acquisition of the billing name and address information from the ALEC serving the customer accepting the charges for the call.

DOCKET NO. 021166-TP

CERTIFICATION OF

PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES

FILED WITH THE

DEPARTMENT OF STATE

COMMISSION  
CLERK

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I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and;

(a) Are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but

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TALLAHASSEE, FLORIDA

FILED

not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

  / (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

  / (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

  / (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

  / (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

  / (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.



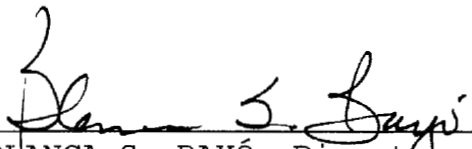
Rule Nos.

25-24.830

25-24.840

Under the provision of subparagraph 120.54(3)(e)6., F.S.,  
the rules take effect 20 days from the date filed with the  
Department of State or a later date as set out below:

Effective: \_\_\_\_\_  
(month) (day) (year)

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

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Number of Pages Certified

( S E A L )

SMC

1 25-24.830 Consumer Information

2 (1) The quality of service information in paragraph (1)(d) of  
3 rule 25-24.825 shall be provided, verbally or in writing, upon  
4 request to any person inquiring about the company's basic local  
5 exchange telecommunications service. In addition, the above  
6 information shall be provided in writing before or in the basic  
7 local exchange telecommunications customer's first bill for  
8 service. The above information shall be expressed in simple words,  
9 sentences, and paragraphs. Unnecessarily long, complicated, or  
10 obscure phrases or acronyms must be avoided.

11 (2) If an ALEC elects not to provide any third-party billing  
12 or collect call services to its customers, the ALEC shall so state  
13 in its price list and notify customers of such prior to a customer  
14 agreeing to obtain local service from the ALEC. In addition, the  
15 above information shall be provided in writing before or in the  
16 basic local exchange telecommunications customer's first bill for  
17 service. The above information shall be expressed in simple words,  
18 sentences, and paragraphs. Unnecessarily long, complicated, or  
19 obscure phrases or acronyms must be avoided.

20 Specific Authority: 350.127(2), F.S.

21 Law Implemented: 364.337(5), F.S., Ch. 95-403, §32, L.O.

22 History: New 12/26/95, Amended XX-XX-XX.

23 25-24.840 Service Standards

24 (1) Each provider of alternative local exchange  
25 telecommunications service shall make access to 9-1-1 emergency

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1 services available to each of its basic telecommunications service  
2 customers at a level at least equivalent to the service provided by  
3 the incumbent local exchange company.

4 (2) ~~By July 1, 1997,~~ Access to 911 services shall be  
5 maintained for the duration of any temporary disconnection for non-  
6 payment of a residential subscriber's local service.

7 (3) Within 6 months of the effective date of this section,  
8 each Alternative Local Exchange Company shall:

9 (a) Provide billing name and address information of the end-  
10 user at a reasonable cost and in a timely manner to any  
11 telecommunications company that requests the information unless the  
12 ALEC has an active billing and collection agreement.

13 (b) Update account ownership information and appropriate toll  
14 restriction information directly into LIDB or contract with the  
15 appropriate local exchange company for daily updates.

16 Specific Authority: 350.127(2), F.S.

17 Law Implemented: 364.03, 364.035, 364.337, 364.345, F.S.

18 History: New 05/06/97, Amended XX-XX-XX.

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Rules 25-24.830 and 25-  
24.840, F.A.C.  
Docket No. 021166-TP

**SUMMARY OF RULE.**

The rules will make available through the Line Information Database (LIDB) sufficient information to ensure that collect and third party calls to alternative local exchange carrier (ALEC) customers can either be properly billed through billing and collection agreements or through the acquisition of the billing name and address information from the ALEC serving the customer accepting the charges for the call.

Rule 25-24.830 will require an ALEC that chooses to restrict its customers from receiving collect or third party billing services to inform its potential customers about the calling restrictions. Rule 25-24.840 will require the ALEC to provide billing name and address information at a reasonable cost and in a timely manner to any telecommunications company that requests the information unless the ALEC has an active billing and collection agreement and to update account ownership information and appropriate toll restriction information directly into LIDB or contract with the appropriate LEC for daily updates.

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COMMUNICATIONS DIVISION  
STATE OF MISSISSIPPI  
JAMES H. LOREY  
ATTORNEY GENERAL

**SUMMARY OF HEARINGS ON THE RULE**

No hearing was requested and none was held.

**FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE**

Commission staff received a complaint from an inmate who was

unable to complete collect calls to his lawyer, a customer of an Alternative Local Exchange Telecommunications Company (ALEC). It was discovered that the reason the collect call was blocked was that the pay telephone provider had no way of billing the call. The ALEC serving the lawyer did not have a billing and collection agreement and the information contained in the Line Information Database (LIDB), which is the only information available to the company originating the call, showed the incumbent local exchange company as the owner of the line. Therefore, the ALEC could not be identified for direct contact to obtain billing name and address information for direct billing. Upon further investigation, it was discovered that this situation was not unique to confinement facility pay telephone providers, but also occurs from any telephone where a person is trying to complete a collect or third party billed call to an ALEC customer. According to Billing Concepts, which is one of the largest clearinghouse rebillers, the problem of lost revenue from unbillable calls is estimated to be a \$1 billion a year problem nationwide.

The amendments to Rules 25-24.830 and 25-24.840, Florida Administrative Code, would make available through the Line Information Database (LIDB) sufficient information to ensure that collect and third party calls to ALEC customers can either be properly billed through the billing and collection agreements or

through the acquisition of the billing name and address information from the ALEC serving the customer accepting the charges for the call.