

ORIGINAL

NOTICE OF PROPOSED RULEMAKING

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 030415-TP

RULE TITLE:

RULE NO.:

Customer Relations; Rules
Incorporated

25-24.490

Rules Incorporated

25-24.585

Customer Relations; Rules
Incorporated

25-24.845

PURPOSE AND EFFECT: To add subsections (11) and (12) of Rule 25-4.110 to Rules 25-24.490, 25-24.585, and 25-24.845 so that these subsections apply to interexchange, shared tenant service, and competitive local exchange companies. The amendments update the rules and remove references to obsolete taxation methods that resulted from the implementation of Chapter 202, F.S.

SUMMARY: The amended rules will require that the gross receipts tax, State sales tax, and the local option tax be combined into a State Communications Services Tax; that the municipal telecommunications taxes and fees be combined into the Local

AUS _____
CAF _____ Communications Services Tax; and that interexchange, shared
CMP _____
COM _____ tenant service, and competitive local exchange companies list
CTR _____
ECR _____
GCL _____ separately on a customer's bill the State Communications Services
OPC _____
MMS _____ Tax and Local Communications Services Tax in accordance with
SEC 1
OTH _____

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
2003 SEP 10 AM 11:00
FPSC-030415-TP-001

Chapter 202, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost was prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), 364.604(5), 427.704(8), 364.337(2), F.S.

LAW IMPLEMENTED: 350.113, 364.03, 364.14, 364.15, 364.016, 364.17, 364.18, 364.183, 364.185, 354.339, 364.603, 364.19, 364.337, 364.602, 364.604, F.S.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THESE PROPOSED RULES IS:

Samantha Cibula, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6202.

THE FULL TEXT OF THESE PROPOSED RULES IS:

25-24.490 Customer Relations; Rules Incorporated.

(1) The following rules are incorporated herein by reference and apply to IXC's.

<u>SECTION</u>	<u>TITLE</u>	<u>PORTIONS APPLICABLE</u>
25-4.110	Customer Billing	Subsections, <u>(11), (12), (14), (15), (17), (18), and (20)</u>
25-4.111	Customer Complaint and Service Requests	All except Subsection (2)
25-4.112	Termination of Service by Customer	All
25-4.113	Refusal or Discontinuance of Service by Company	All
25-4.114	Refunds	All
25-4.117	800 Service	All
25-4.118	Local, Local Toll, or Toll Provider Selection	All

(2)-(3) No Change.

Specific Authority: 350.127(2), 364.604(5), F.S.

Law Implemented: 364.03, 364.14, 364.15, 364.603, 364.19, 364.337
364.602, 364.604, F.S.

History: New 02-23-87, Amended 10-31-89, 03-05-90, 03-04-92, 03-13-96, 07-20-98, 12-28-98, 07-05-00, mm-dd-yr.

25-24.585 Rules Incorporated.

(1) The following rules are incorporated herein by reference

and apply to shared tenant service companies:

<u>SECTION</u>	<u>TITLE</u>	<u>PORTIONS APPLICABLE</u>
25-4.019	Records and Reports in General	All
25-4.020	Location and Preservation of Records	All except (1)and (3)
25-4.036	Design and Construction of Plant	All
25-4.043	Response to Commission Staff Inquiries	All
25-4.0161	Regulatory Assessment Fees; Telecommunication Companies	All
<u>25-4.110</u>	<u>Customer Billing</u>	<u>Subsections (11)</u> <u>and (12)</u>
25-4.160	Operation of Telecommunications Relay Service	All

(2) No Change.

Specific Authority: 350.127(2), 427.704(8), F.S.

Law Implemented: 350.113, 364.016, 364.17, 364.18, 364.183,
364.185, 364.339, F.S.

History: New 1/28/91, Amended 12/29/91, 11/13/95, 7/29/97,
04/08/98, mm-dd-yr.

25-24.845 Customer Relations; Rules Incorporated.

The following rules are incorporated herein by reference and

apply to CLECs. In the following rules, the acronym 'LEC' should be omitted or interpreted as 'CLEC'.

<u>SECTION</u>	<u>TITLE</u>	<u>PORTIONS APPLICABLE</u>
25-4.110	Customer Billing	Subsections <u>(11)</u> , <u>(12)</u> , (14), (15), (16), (17), (18), and (20)
24-4.118	Local, Local Toll, or Toll Provider Selection	All

Specific Authority: 350.127(2) and 364.337(2), 364.604(5), F.S.

Law Implemented: 364.337(2), 364.602, 364.604, F.S.

History: New 07-20-98, Amended 12-28-98, 07-05-00, mm-dd-yr.

NAME OF PERSON ORIGINATING PROPOSED RULES: Dale Buys

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULES:

Florida Public Service Commission.

DATE PROPOSED RULES APPROVED: September 2, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

February 7, 2003, Vol. 29, No. 6.