

Case Assignment and Scheduling Record

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 030413-TP Date Docketed: 04/29/2003 Title: Petition for declaratory statement that ALLTEL Communications, Inc., commercial mobile radio service provider in Florida, is not subject to jurisdiction of Florida Public Service Commission for purposes of designation as "eligible telecommunications carrier."
 Company: ALLTEL Communications, Inc.

Official Filing Date: _____
 Last Day to Suspend: _____ Expiration: _____

Referred to: _____ AUS CAF CCA CMP ECR EXT (GCL) MMS PIF
 ("(") indicates OPR) _____ X _____ X _____

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program/Module B8(a)

Staff Assignments

<u>OPR Staff</u>	_____

<u>Staff Counsel</u>	_____
<u>OCRs (CMP)</u>	_____
()	_____
()	_____
()	_____
()	_____
()	_____

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
 Current CASR revision level

0

Due Dates

Previous Current

1.	_____	_____	_____
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38.	_____	_____	_____
39.	_____	_____	_____
40.	_____	_____	_____

Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with CCA: _____

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	JB	DS	BZ	BD	DV		

- Prehearing Officer

Commissioners					ADM
JB	DS	BZ	BD	DV	

DOCUMENT NO
 14490-03

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____

Date: ___ / ___ / ___

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 030413-TP Date Docketed: 04/29/2003 Title: Petition for declaratory statement that ALLTEL Communications, Inc., commercial mobile radio service provider in Florida, is not subject to jurisdiction of Florida Public Service Commission for purposes of designation as "eligible telecommunications carrier."

Official Filing Date: Last Day to Suspend: Referred to: ("(" indicates OPR)

Expiration:

Table with columns: AUS, CAF, CCA, CMP, ECR, EXT, (GCL), MMS, PIF

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module B8(a) Staff Assignments

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Table with columns: OPR Staff, Staff Counsel, OPRs (CMP)

Main table with columns: Current CASR revision level, Due Dates (Previous, Current) and numbered rows 1-40

Recommended assignments for hearing and/or deciding this case: Full Commission X Commission Panel Hearing Examiner Staff Date filed with CCA: 06/04/2003 Initials: OPR Staff Counsel

Section 3 - Chairman Completes

Assignments are as follows:

Table for Hearing Officer(s) with columns: Commissioners (ALL, JB, DS, BZ, BD, DV), Hrg Exam, Staff

Table for Prehearing Officer with columns: Commissioners (JB, DS, BZ, BD, DV), ADM

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: [Signature] Date: Pending 6/18/03

Case Assignment and Scheduling Record

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 030413-TP Date Docketed: 04/29/2003 Title: Petition for declaratory statement that ALLTEL Communications, Inc., commercial mobile radio service provider in Florida, is not subject to jurisdiction of Florida Public Service Commission for purposes of designation as "eligible telecommunications carrier."

Official Filing Date: Last Day to Suspend: Expiration:

Referred to: ("") indicates OPR AUS CAF CCA CMP ECR EXT (GCL) MMS PIF

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program/Module B8(a)

Staff Assignments

Table with columns for OPR Staff, Staff Counsel, and OCRs (CMP) and rows for C Moore, D Dowds, and empty rows.

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770 Current CASR revision level

0

Table with columns for task numbers (1-40) and Due Dates (Previous, Current) listing events like FAW Notice Published, Staff Recommendation, Agenda, Standard Order, FAW Notice Filed, FAW Notice Published.

Recommended assignments for hearing and/or deciding this case: Full Commission X Commission Panel Hearing Examiner Staff Date filed with CCA: 05/14/2003 Initials: OPR Staff Counsel

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Table for Hearing Officer(s) assignments with columns for Commissioners (ALL, JB, DS, BZ, BD, DV), Hrg. Exam., and Staff.

- Prehearing Officer

Table for Prehearing Officer assignments with columns for Commissioners (JB, DS, BZ, BD, DV) and ADM.

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: Date: 05/14/2003

STATE OF FLORIDA

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

April 30, 2003

Stephen B. Rowell
ALLTEL Communications, Inc.
One Allied Drive
Little Rock, Arkansas 72202

Re: Docket No. 030413-TP

Dear Mr. Rowell:

This will acknowledge receipt of a petition for declaratory statement that ALLTEL Communications, Inc., commercial mobile radio service provider in Florida, is not subject to jurisdiction of Florida Public Service Commission for purposes of designation as "eligible telecommunications carrier.", which was filed in this office on April 29, 2003, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Division of the Commission Clerk and Administrative Services
Florida Public Service Commission



Florida Cable Telecommunications Association

Steve Wilkerson, President

VIA FACSIMILE

May 20, 2003

Ms. Blanca S. Bayo, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED-FPSC
03 MAY 20 PM 4: 17
COMMISSION
CLERK

RE: FPSC Docket No. 030413

Dear Ms. Bayo:

I am writing to request that the Florida Cable Telecommunications Association, Inc. ("FCTA") be placed on the mailing list of persons interested in monitoring the above-referenced docket. Please send all mailings to the following:

Michael A. Gross
Vice President, Regulatory Affairs & Regulatory Counsel
Florida Cable Telecommunications Association, Inc.
246 E. 6th Avenue, Suite 100
Tallahassee, FL 32303
850/681-1990 Tel.
850/681-9676 Fax
E-Mail Address: mgross@fcta.com.

Thank you for your assistance in this matter. Please contact me with any questions.

Sincerely,

Michael A. Gross
Vice President, Regulatory Affairs
& Regulatory Counsel

MAG:mj

Dave 5/21/03

CCA Official Filing:

6/16/03*****9:56 AM*****Matilda Sanders*****1

Matilda Sanders

0712-PCO

From: Wanda Terrell
Sent: Monday, June 16, 2003 9:51 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

4

Date and Time: 6/16/03 9:49:00 AM
Docket Number: 030413
Filename / Path: Intervention030413.wpd
Order Type: Hand Deliver Attachments

Order has been transferred to GCOrders.

*corrected
per W.T
11:20 am
mor*

6/1

ORIGINAL



Richard Chapkis
Vice President & General Counsel, Southeast Region
Legal Department

FLTC0717
201 North Franklin Street (33602)
Post Office Box 110
Tampa, Florida 33601-0110

Phone 813 483-1256
Fax 813 273-9825
richard.chapkis@verizon.com

July 25, 2003

Ms. Blanca S. Bayo, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED - FPSC
JUL 25 AM 10:32
COMMISSION
CLERK

Re: Docket No. 030413-TP
Petition for declaratory statement that ALLTEL Communications, Inc.,
commercial mobile radio service provider in Florida, is not subject to the
jurisdiction of the Florida Public Service Commission for purposes of
designation as "eligible telecommunications carrier"

Dear Ms. Bayo:

Verizon Florida Inc. respectfully requests to be listed as an interested party in the
above-referenced docket. Service of this request has been made as indicated on the
Certificate of Service. If there are any questions regarding this matter, please contact
me at 813-483-1256.

Sincerely,


Richard Chapkis

RC:tas
Enclosures

*Added 7/11/03
per previous
request
mj*

RECEIVED & FILED

R.V.N.

FPSC-BUREAU OF RECORDS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing were sent via U.S. mail on July 25, 2003 to the parties on the attached list.



Richard Chapkis
Bar

Staff Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

BellSouth Telecommunications
Nancy B. White
c/o Nancy Sims
150 S. Monroe St., Suite 400
Tallahassee, FL 32301-1556

ALLTEL Communications
Bettye J. Willis
One Allied Drive, B4F04-ND
Little Rock, AR 72203-2177

ALLTEL Communications
Stephen B. Rowell
One Allied Drive, B5F11
Little Rock, AR 72203-2177

David B. Erwin
127 Riversink Road
Crawfordville, FL 32327

GT Com
R. Mark Ellmer
P. O. Box 220
Port St. Joe, FL 32457-0220

Florida Cable Telecomm. Assn.
Michael A. Gross
246 E. 6th Avenue, Suite 100
Tallahassee, FL 32303

Northeast Florida Telephone
Deborah Nobles
505 Plaza Circle, Suite 200
Orange Park, FL 32073

Radey Thomas Yon & Clark
Susan Clark
101 N. Monroe Street
Suite 775
Tallahassee, FL 32301

TDS Telecom/Quincy Telephone
Thomas McCabe
107 W. Franklin Street
Quincy, FL 32353

**Pennington
Moore
Wilkinson
Bell &
Dunbar** PA
ATTORNEYS AT LAW
www.penningtonlaw.com

Peter M. Dunbar
Attorney at Law

(850) 222-3533
pete@penningtonlaw.com

July 8, 2003

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

**via Facsimile
413-7118**

Re: ~~Docket No. 030413-TP~~

Dear Ms. Bayo:

Please add the following individuals to the mailing list for this docket for monitoring purposes only.

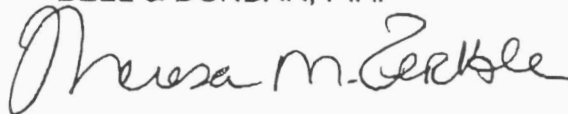
Peter M. Dunbar, Esq.
Pennington, Moore, Wilkinson,
Bell & Dunbar, P.A.
Post Office Box 10095
Tallahassee, Florida 32302
(850) 222-3533
(850) 222-2126 (facsimile)

Ms. Carolyn Marek
Time Warner Telecom of Florida, L.P.
233 Bramerton Court
Franklin, Tennessee 37069
(615) 376-6404
(615) 376-6405 (facsimile)

Thank you for your attention to this matter. Please call me if you have any questions.

Respectfully,

PENNINGTON, MOORE, WILKINSON,
BELL & DUNBAR, P.A.



Theresa M. Zerkle
Legal Assistant to Peter M. Dunbar

*Done
07/08/03
KMP /tmz*

Handout by Nextel
at 8/19/03 agenda
(Item 3, Dockets
030346 and
030413)

364.01 Powers of commission, legislative intent.

- (1) The Florida Public Service Commission shall exercise over and in relation to telecommunications companies the powers conferred by this chapter.

...

364.02 Definitions.

...

- (3) "Commercial mobile radio service provider" means a commercial mobile radio service provider as defined by and pursuant to 47 U.S.C. ss. 153(n) and 332(d).

...

- (12) "Telecommunications company" includes every corporation, partnership, and person and their lessees, trustees, or receivers appointed by any court whatsoever, and every political subdivision in the state, offering two-way telecommunications service to the public for hire within this state by the use of a telecommunications facility. The term "telecommunications company" does not include:

...

- (c) A commercial mobile radio service provider;

- 364.386 Reports to the Legislature.
 364.501 Telecommunications company underground excavation damage prevention.
 364.502 Video programming; capacity for public use.
 364.503 Merger or acquisition.

364.01 Powers of commission, legislative intent.

(1) The Florida Public Service Commission shall exercise over and in relation to telecommunications companies the powers conferred by this chapter.

(2) It is the legislative intent to give exclusive jurisdiction in all matters set forth in this chapter to the Florida Public Service Commission in regulating telecommunications companies, and such preemption shall supersede any local or special act or municipal charter where any conflict of authority may exist. However, the provisions of this chapter shall not affect the authority and powers granted in s. 166.231(9) or s. 337.401.

(3) The Legislature finds that the competitive provision of telecommunications services, including local exchange telecommunications service, is in the public interest and will provide customers with freedom of choice, encourage the introduction of new telecommunications service, encourage technological innovation, and encourage investment in telecommunications infrastructure. The Legislature further finds that the transition from the monopoly provision of local exchange service to the competitive provision thereof will require appropriate regulatory oversight to protect consumers and provide for the development of fair and effective competition, but nothing in this chapter shall limit the availability to any party of any remedy under state or federal antitrust laws. The Legislature further finds that changes in regulations allowing increased competition in telecommunications services could provide the occasion for increases in the telecommunications workforce; therefore, it is in the public interest that competition in telecommunications services lead to a situation that enhances the high-technological skills and the economic status of the telecommunications workforce.

(4) The commission shall exercise its exclusive jurisdiction in order to:

(a) Protect the public health, safety, and welfare by ensuring that basic local telecommunications services are available to all consumers in the state at reasonable and affordable prices.

(b) Encourage competition through flexible regulatory treatment among providers of telecommunications services in order to ensure the availability of the widest possible range of consumer choice in the provision of all telecommunications services.

(c) Protect the public health, safety, and welfare by ensuring that monopoly services provided by telecommunications companies continue to be subject to effective price, rate, and service regulation.

(d) Promote competition by encouraging new entrants into telecommunications markets and by allowing a transitional period in which new entrants are subject to a lesser level of regulatory oversight than local exchange telecommunications companies.

(e) Encourage all providers of telecommunications services to introduce new or experimental telecommunications services free of unnecessary regulatory restraints.

(f) Eliminate any rules and/or regulations which will delay or impair the transition to competition.

(g) Ensure that all providers of telecommunications services are treated fairly, by preventing anticompetitive behavior and eliminating unnecessary regulatory restraint.

(h) Recognize the continuing emergence of a competitive telecommunications environment through the flexible regulatory treatment of competitive telecommunications services, where appropriate, if doing so does not reduce the availability of adequate basic local telecommunications service to all citizens of the state at reasonable and affordable prices, if competitive telecommunications services are not subsidized by monopoly telecommunications services, and if all monopoly services are available to all competitors on a nondiscriminatory basis.

(i) Continue its historical role as a surrogate for competition for monopoly services provided by local exchange telecommunications companies.

History.—ss. 1-4, ch. 6186, 1911; ss. 1-6, ch. 6187, 1911; s. 1, ch. 6525, 1913; RGS 4393; CGL 6357; s. 1, ch. 63-279; s. 1, ch. 65-52; s. 1, ch. 67-541; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 1, 32, ch. 80-36; s. 2, ch. 81-318; s. 25, ch. 83-218; ss. 6, 7, ch. 89-163; ss. 1, 48, 49, ch. 90-244; s. 4, ch. 91-429; s. 5, ch. 95-403.

Note.—Repealed by s. 38, ch. 2000-260.

364.015 Injunctive relief.—The Legislature finds that violations of commission orders or rules, in connection with the impairment of a telecommunications company's operations or service, constitute irreparable harm for which there is no adequate remedy at law. The commission is authorized to seek relief in circuit court including temporary and permanent injunctions, restraining orders, or any other appropriate order. Such remedies shall be in addition to and supplementary to any other remedies available for enforcement of agency action under s. 120.69 or the provisions of this chapter. The commission shall establish procedures implementing this section by rule.

History.—s. 1, ch. 93-35.

364.016 Travel costs.—The commission has the authority to assess a telecommunications company for reasonable travel costs associated with reviewing the records of the telecommunications company and its affiliates when such records are kept out of state. The telecommunications company may bring the records back into the state for review.

History.—s. 2, ch. 93-35.

364.02 Definitions.—As used in this chapter:

(1) "Alternative local exchange telecommunications company" means any company certificated by the commission to provide local exchange telecommunications services in this state on or after July 1, 1995.

(2) "Basic local telecommunications service" means voice-grade, flat-rate residential, and flat-rate single-line business local exchange services which provide dial-tone, local usage necessary to place unlimited calls within a local exchange area, dual tone multifrequency dialing, and access to the following:

emergency services such as "911," all locally available interexchange companies, directory assistance, operator services, relay services, and an alphabetical directory listing. For a local exchange telecommunications company, such term shall include any extended area service routes, and extended calling service in existence or ordered by the commission on or before July 1, 1995.

(3) "Commercial mobile radio service provider" means a commercial mobile radio service provider as defined by and pursuant to 47 U.S.C. ss. 153(n) and 332(d).

(4) "Commission" means the Florida Public Service Commission.

(5) "Corporation" includes a corporation, company, association, or joint stock association.

(6) "Local exchange telecommunications company" means any company certificated by the commission to provide local exchange telecommunications service in this state on or before June 30, 1995.

(7) "Monopoly service" means a telecommunications service for which there is no effective competition, either in fact or by operation of law.

(8) "Nonbasic service" means any telecommunications service provided by a local exchange telecommunications company other than a basic local telecommunications service, a local interconnection arrangement described in s. 364.16, or a network access service described in s. 364.163.

(9) "Operator service" includes, but is not limited to, billing or completion of third-party, person-to-person, collect, or calling card or credit card calls through the use of a live operator or automated equipment.

(10) "Operator service provider" means a person who furnishes operator service through a call aggregator.

(11) "Service" is to be construed in its broadest and most inclusive sense.

(12) "Telecommunications company" includes every corporation, partnership, and person and their lessees, trustees, or receivers appointed by any court whatsoever, and every political subdivision in the state, offering two-way telecommunications service to the public for hire within this state by the use of a telecommunications facility. The term "telecommunications company" does not include:

(a) An entity which provides a telecommunications facility exclusively to a certificated telecommunications company;

(b) An entity which provides a telecommunications facility exclusively to a company which is excluded from the definition of a telecommunications company under this subsection;

(c) A commercial mobile radio service provider;

(d) A facsimile transmission service;

(e) A private computer data network company not offering service to the public for hire; or

(f) A cable television company providing cable service as defined in 47 U.S.C. s. 522.

However, each commercial mobile radio service provider shall continue to be liable for any taxes imposed pursuant to chapters 203 and 212 and any fees assessed pursuant to s. 364.025.

(13) "Telecommunications facility" includes real estate, easements, apparatus, property, and routes used and operated to provide two-way telecommunications service to the public for hire within this state.

History.—s. 2, ch. 6525, 1913; RGS 4394; CGL 6358; s. 1, ch. 63-279; s. 1, ch. 65-52; s. 1, ch. 65-451; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 2, 32, ch. 80-36; s. 2, ch. 81-318; s. 1, ch. 84-215; ss. 6, 7, ch. 89-163; ss. 2, 48, 49, ch. 90-244; s. 4, ch. 91-429; s. 6, ch. 95-403; s. 12, ch. 98-277.

364.025 Universal service.—

(1) For the purposes of this section, the term "universal service" means an evolving level of access to telecommunications services that, taking into account advances in technologies, services, and market demand for essential services, the commission determines should be provided at just, reasonable, and affordable rates to customers, including those in rural, economically disadvantaged, and high-cost areas. It is the intent of the Legislature that universal service objectives be maintained after the local exchange market is opened to competitively provided services. It is also the intent of the Legislature that during this transition period the ubiquitous nature of the local exchange telecommunications companies be used to satisfy these objectives. For a period of 8 years after January 1, 1996, each local exchange telecommunications company shall be required to furnish basic local exchange telecommunications service within a reasonable time period to any person requesting such service within the company's service territory.

(2) The Legislature finds that each telecommunications company should contribute its fair share to the support of the universal service objectives and carrier-of-last-resort obligations. For a transitional period not to exceed January 1, 2004, the interim mechanism for maintaining universal service objectives and funding carrier-of-last-resort obligations shall be established by the commission, pending the implementation of a permanent mechanism. The interim mechanism shall be applied in a manner that ensures that each alternative local exchange telecommunications company contributes its fair share to the support of universal service and carrier-of-last-resort obligations. The interim mechanism applied to each alternative local exchange telecommunications company shall reflect a fair share of the local exchange telecommunications company's recovery of investments made in fulfilling its carrier-of-last-resort obligations, and the maintenance of universal service objectives. The commission shall ensure that the interim mechanism does not impede the development of residential consumer choice or create an unreasonable barrier to competition. In reaching its determination, the commission shall not inquire into or consider any factor that is inconsistent with s. 364.051(1)(c). The costs and expenses of any government program or project required in part II of this chapter shall not be recovered under this section.

(3) In the event any party, prior to January 1, 2004, believes that circumstances have changed substantially to warrant a change in the interim mechanism, that party may petition the commission for a change, but the commission shall grant such petition only after an opportunity for a hearing and a compelling showing of changed circumstances, including that the provider's

customer population includes as many residential as business customers. The commission shall act on any such petition within 120 days.

(4)(a) Prior to January 1, 2004, the Legislature shall establish a permanent universal service mechanism upon the effective date of which any interim recovery mechanism for universal service objectives or carrier-of-last-resort obligations imposed on alternative local exchange telecommunications companies shall terminate.

(b) To assist the Legislature in establishing a permanent universal service mechanism, the commission, by February 15, 1999, shall determine and report to the President of the Senate and the Speaker of the House of Representatives the total forward-looking cost, based upon the most recent commercially available technology and equipment and generally accepted design and placement principles, of providing basic local telecommunications service on a basis no greater than a wire center basis using a cost proxy model to be selected by the commission after notice and opportunity for hearing.

(c) In determining the cost of providing basic local telecommunications service for small local exchange telecommunications companies, which serve less than 100,000 access lines, the commission shall not be required to use the cost proxy model selected pursuant to paragraph (b) until a mechanism is implemented by the Federal Government for small companies, but no sooner than January 1, 2001. The commission shall calculate a small local exchange telecommunications company's cost of providing basic local telecommunications services based on one of the following options:

1. A different proxy model; or

2. A fully distributed allocation of embedded costs, identifying high-cost areas within the local exchange area the company serves and including all embedded investments and expenses incurred by the company in the provision of universal service. Such calculations may be made using fully distributed costs consistent with 47 C.F.R. parts 32, 36, and 64. The geographic basis for the calculations shall be no smaller than a census block group.

(5) After January 1, 2001, an alternative local exchange telecommunications company may petition the commission to become the universal service provider and carrier of last resort in areas requested to be served by that alternative local exchange telecommunications company. Upon petition of an alternative local exchange telecommunications company, the commission shall have 120 days to vote on granting in whole or in part or denying the petition of the alternative local exchange company. The commission may establish the alternative local exchange telecommunications company as the universal service provider and carrier of last resort, provided that the commission first determines that the alternative local exchange telecommunications company will provide high-quality, reliable service. In the order establishing the alternative local exchange telecommunications company as the universal service provider and carrier of last resort, the commission shall set the period of time in which such company must meet those objectives and obligations and

shall set up any mechanism needed to aid such company in carrying out these duties.

History.—s. 7, ch. 95-403; s. 18, ch. 97-100; s. 1, ch. 98-277; s. 1, ch. 99-354; s. 1, ch. 2000-289; s. 2, ch. 2000-334.

364.0251 Competitive providers of local service; implementation of consumer information program required.—By January 1, 1996, the commission shall implement a consumer information program to inform subscribers of the possibility under the law of competitive providers of local exchange telecommunications services, their rights as customers of these alternative providers, the commission's regulatory authority over the alternative providers, and any other information the commission deems appropriate. The commission may, pursuant to this program, require all companies providing local exchange telecommunications services to provide such information in the form of a bill insert.

History.—s. 32, ch. 95-403.

364.0252 Expansion of consumer information programs; customer assistance; rulemaking authority.—

The Florida Public Service Commission shall expand its current consumer information program to inform consumers of their rights as customers of competitive telecommunications services and shall assist customers in resolving any billing and service disputes that customers are unable to resolve directly with the company. The commission may, pursuant to this program, require all telecommunications companies providing local or long distance telecommunications services to develop and provide information to customers. The commission may specify by rule the types of information to be developed and the manner by which the information will be provided to the customers. The Florida Public Service Commission shall undertake a comprehensive and ongoing effort to inform consumers regarding how to protect themselves in a competitive telecommunications market. Of specific concern are informing consumers concerning the availability of the Lifeline and Link-Up Programs for low-income households and alerting consumers to how they can avoid having their service changed or unauthorized charges added to their telephone bills.

History.—s. 6, ch. 98-277; s. 3, ch. 99-354.

364.03 Rates to be reasonable; performance of service; maintenance of telecommunications facilities.—

(1) All rates, tolls, contracts, and charges of, and all rules and regulations of, telecommunications companies for messages, conversations, services rendered, and equipment and facilities supplied, whether such message, conversation, or service is to be performed over one company or line or over or by two or more companies or lines, shall be fair, just, reasonable, and sufficient, and the service rendered to any person by any telecommunications company shall be rendered and performed in a prompt, expeditious, and efficient manner. The telecommunications facilities furnished by a telecommunications company shall be safe and kept in good condition and repair; and its service shall be modern, adequate, sufficient, and efficient.