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ORIGINAL

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Charles J. Beck
Deputy Public Counsel

May 13, 2004

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

RECEIVED FPSC
MAY 13 PM 3:20
COMMISSION
CLERK

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of the Petition by the Citizens of Florida to Initiate Rulemaking Requiring Provision of Lifeline Service within 30 days of Certification.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Charles J. Beck
Deputy Public Counsel

CJB:bsr
Enclosures

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

05565 MAY 13 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by the Citizens)
of Florida to require local exchange)
telecommunications companies to)
provide Lifeline service within)
30 days of certification)

Docket no. _____

Filed May 13, 2004

**Petition by the Citizens of Florida to Initiate Rulemaking
Requiring Provision of Lifeline Service Within 30 Days of Certification**

Pursuant to §§ 364.10 and 350.0611, Florida Statutes (2003) and §28-103.006, Florida Administrative Code, the Citizens of Florida (Citizens), through Harold McLean, Public Counsel, petition the Florida Public Service Commission (Commission) to initiate rulemaking requiring local exchange telecommunications companies to provide lifeline service within 30 days of certification. In support of this petition, Citizens state the following:

1. §350.0611, Florida Statutes (2003) charges the Public Counsel with the responsibility to provide legal representation for the people of the state in proceedings before the Commission. Specific powers granted the Public Counsel include the ability to recommend to the Commission the commencement of any proceeding or action.

2. §364.10(3)(a), Florida Statutes (2003) requires any local exchange telecommunications company authorized by the Commission to reduce its switched network access rates pursuant to §364.164 to provide Lifeline service to any eligible

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customer or potential customer who meets an income eligibility test at 125 percent or less of the federal poverty income guidelines. The statute specifically requires the Public Counsel to certify and maintain claims submitted by a customer for eligibility under the income test authorized by this statute.

3. Lifeline service helps to insure that all Floridians who wish to have local telephone service can obtain it at a price that is affordable to them. The Commission's recent action increasing the local telephone rates of BellSouth Telecommunications, Verizon Florida, and Sprint makes the availability of Lifeline even more important. As the price of R1 residential service increases, the price of Lifeline service may not be increased until the local exchange telecommunications company's rates reach parity. §364.10(3)(c), Fla. Stat.

4. Once the Public Counsel certifies the eligibility of a customer for Lifeline service under the income test set forth in §364.10(3)(a), Fla. Stat., there is currently no standard requiring the local exchange telecommunications companies to begin providing Lifeline service within a set amount of time after receiving notice of eligibility from the Public Counsel. Citizens believe that the purposes of the statute will be best served if the Commission requires the companies to actually begin providing Lifeline service within a reasonable time (such as 30 days) after receiving notice of eligibility from the Public Counsel.

5. Citizens request the Commission to adopt the following rule:

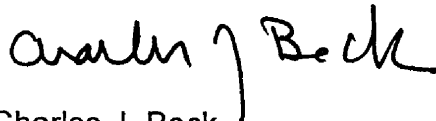
"Provision of Lifeline Service After Certification of Eligibility.

Each local exchange telecommunications company providing Lifeline service under an income test shall provide Lifeline service to the customer within 30 days of receiving certification of eligibility from the Office of Public Counsel."

WHEREFORE, Citizens request the Commission to initiate rulemaking and to adopt the rule regarding the provision of Lifeline service after certification of eligibility as set forth in this petition.

Respectfully submitted,

HAROLD MCLEAN
PUBLIC COUNSEL



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Deputy Public Counsel

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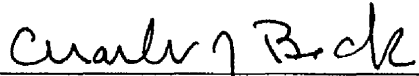
(850) 488-9330

Attorneys for the Citizens
of Florida

DOCKET NO. _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail, hand-delivery and/or overnight delivery to the following parties on this 13th day of May, 2004.



Charles J. Beck

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