

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO:080159-TP

IN RE: JOINT PETITION TO INITIATE RULEMAKING TO ADOPT NEW RULE  
IN CHAPTER 25-24, F.A.C., AMEND AND REPEAL RULES IN CHAPTER 25-4,  
F.A.C., AND AMEND RULES IN CHAPTER 25-9, F.A.C., BY VERIZON FLORIDA  
LLC, BELLSOUTH TELECOMMUNICATIONS, INC. D/B/A AT&T FLORIDA,  
EMBARQ FLORIDA, INC., QUINCY TELEPHONE COMPANY D/B/A TDS  
TELECOM, AND WINDSTREAM FLORIDA, INC.

NOTICE OF PROPOSED RULE DEVELOPMENT

TO

ALL INTERESTED PERSONS

ISSUED: April 29, 2008

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission has initiated the development of new Rule 25-4.008; the amendment of Rules. 25-4.002, 25-4.003, 25-4.017, 25-4.0174, 25-4.0175, 25-4.0178, 25-4.021, 25-4.022, 25-4.034, 25-4.040, 25-4.067, 25-4.079, 25-4.215, 25-9.001, 25-9.034, 25-9.044; 25-14.001 and the repeal of Rules 25-4.006, 25-4.007, 25-4.019, 25-4.024, 25-4.039 25-4.046, 25-4.077, 25-4.116, Florida Administrative Code, relating to telecommunications.

The attached Notice of Proposed Rule Development appeared in the April 25, 2008, edition of the Florida Administrative Weekly. A rule development workshop will be held at the following time and place:

Florida Public Service Commission  
9:00 a.m., May 14, 2008  
Betty Easley Conference Center  
Room 148, 4075 Esplanade Way  
Tallahassee, Florida 32399-0850

It is possible that one or more Commissioners may attend and participate at the workshop. The agenda for the rule development workshop and the draft rules are attached to this notice.

DOCUMENT NUMBER-DATE

03447 APR 29 8

FPSC-COMMISSION CLERK

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Any person requiring some accommodation at this workshop because of a physical impairment should call the Office of Commission Clerk at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

By DIRECTION of the Florida Public Service Commission, this 29th day of April, 2008.

  
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ANN COLE  
Commission Clerk

( S E A L )

CM

Florida Public Service Commission Staff Rule Development Workshop  
Docket No. 080159-TP  
Joint Petition to Initiate Rulemaking to Adopt New Rule in Chapter 25-24, F.A.C., Amend and Repeal Rules in Chapter 25-4, F.A.C. and Amend Rules in Chapter 25-9, F.A.C., by Verizon Florida LLC, BellSouth Telecommunications, Inc. D/B.A AT&T Florida, Embarq Florida Inc., Quincy Telephone Company D/B/A TDS Telecom. And Windstream Florida, Inc.

Agenda  
Rule Development Workshop  
May 14, 2008, 9:00 a.m.  
Betty Easley Conference Center  
Room 148, 4075 Esplanade Way  
Tallahassee, Florida 32399-0850

Part I – Rule Revisions and Repeals

- Introductory Remarks by Staff
- Introductory Remarks by Petitioners
- Introductory Remarks by Other Interested Persons
- Proceed, rule by rule, through the rule revisions and repeals for open discussion and staff questions (attached)

Part II – New Rule 25-4.008 regarding Streamlined Regulation

- Introductory remarks by the Petitioners
- Introductory remarks by Other Interested Persons
- Staff Questions (attached)
- Comments by Other Interested Persons

For additional information, contact Cindy Miller, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850, (850) 413-6082.

**Questions for Workshop**  
**Part I of Workshop**

Staff plans to discuss the 18 rules in attachment C to the petition. In addition staff plans to discuss the proposed amendment of rules 25-4.002, 25-4.003, 25-4.215, 25-9.001 and 25-14.001 and repeal of rules 25-4.021 and 25-4.077.

For the 11 rule amendments and 7 rule repeals listed in attachment C to the petition, please be prepared to discuss the following:

1. Describe how the rule is burdensome.
2. Describe the benefits to the company of the proposed rule amendment or repeal.
3. Describe the benefits to the customers of the proposed rule amendment or repeal.

In addition, staff will have specific questions related to some of the proposed rule changes.

**Part II of Workshop**

Please be prepared to discuss the following questions related to proposed new rule 25-4.008:

1. In reference to proposed new rule (1)(a), provide an example(s) of what “other basis” a company might choose to define a “market” for purposes of streamlined regulation other than a Metropolitan Statistical Area, an exchange, or the company’s service territory.
2. In reference to proposed new rule (1)(b):  
  
Does a company’s affiliated wireless provider or affiliated CLEC constitute a local service alternative under the proposed rule?  
  
Does a company’s own broadband offering constitute a local service alternative under the proposed rule?
3. In reference to proposed new rule (2)(a):  
  
Proposed new rule (1)(b)2. proposes two-thirds (2/3) *households* as the competitive benchmark to trigger streamlined regulation. Does the two-thirds (2/3) *access lines* benchmark proposed in (2)(a) refer only to residential access lines or both residential and business access lines?
4. Why is the benchmark proposed in (2)(a) different from that proposed in (1)(b)2?

5. Does your company currently qualify for territory wide streamlined regulation under the proposed new rule?
6. The proposed rule does not address the possibility of a decline in the number of available local service access options after streamline regulation has been granted. Should streamline regulation be subject to roll back in the event the number of local service access options falls below three?

For each of the rules in attachment B to the petition from which the companies seek exemption, please be prepared to discuss the following:

1. Describe how the rule is burdensome.
2. Describe the benefits to the company of the proposed rule exemption.
3. Describe the benefits to the customers of the proposed rule exemption.
4. Any specific changes to the rules that could make them less burdensome.

In addition, staff will have specific questions related to some of the proposed rule exemptions.

5. Please provide us at the workshop with the citation for the relevant statute, regulation or order in each state listed in the petition in paragraph 12. The petition states that “many states have responded to similar developments by revisiting their regulatory frameworks and making necessary updates.” Alabama, Mississippi, Indiana, North Carolina, Virginia and Texas are specifically listed.
6. How can the FPSC implement the market test if we do not have regulatory jurisdiction over the cable and wireless providers? How will the FPSC be able to obtain the data to show that the market test is met?
7. What statutory authority provides the FPSC with the ability to implement the market test? Is there any statutory authority in addition to what was provided in the petition?

\*Please note that this list is for preparation and there may be additional questions at the workshop.

Notice of Development of Rulemaking

**PUBLIC SERVICE COMMISSION**

**RULE NO: RULE TITLE**

25-4.002: Application and Scope

25-4.003: Definitions

25-4.006: Issuance of Certificate in the Event of Failure to Furnish Adequate Service

25-4.007: Reference to Commission

25-4.008: Streamlined Regulation for Telecommunications Markets and Companies

25-4.017: Uniform System of Accounts

25-4.0174: Uniform System and Classification of Accounts - Depreciation

25-4.0175: Depreciation

25-4.0178: Retirement Units

25-4.019: Records and Reports in General

25-4.021: System Maps and Records

25-4.022: Complaint - Trouble Reports, Etc

25-4.024: Held Applications for Service

25-4.034: Tariffs

25-4.039: Traffic

25-4.040: Telephone Directories; Directory Assistance

25-4.046: Incremental Cost Data Submitted by Local Exchange Companies

25-4.067: Extension of Facilities - Contributions in Aid of Construction

25-4.077: Metering and Recording Equipment

25-4.079: Hearing/Speech Impaired Persons

25-4.116: Telephone Number Assignment Procedure

25-4.215: Limited Scope Proceedings

PURPOSE AND EFFECT: The purposes of the rule amendments are to delete any provisions that are obsolete; to create a market test which, if met, would provide for streamlined regulation in which 53 rules would not apply; to clarify when the rule applies only to rate-of-return regulated local exchange telecommunication companies; to better reflect the telecommunications industry state of competition; and to address certain matters on a complaint basis.

Under the new rule proposal for Rule 25-4.008 on Streamlined Regulation for Telecommunications Markets and Companies, the companies meeting the test for competitive markets or streamlined regulation would not be subject to the following rules: Rule 25-4.0185, Periodic Reports; Rule 25-4.0201, Audit Access to Records; Rule 25-4.021, System Maps and Records; Rule 25-4.023, Report of Interruptions; Rule 25-4.066, Availability of Service; Rule 25-4.069, Maintenance of Plant and Equipment; Rule 25-4.070, Customer Trouble Reports; Rule 25-4.071, Adequacy of Service; Rule 25-4.072, Transmission Requirements; Rule 25-4.073, Answering Time; Rule 25-4.074, Intercept Service; Rule 25-4.077, Metering and Recording Equipment; Rule 25-4.083, Preferred Carrier Freeze; Rule 25-4.085, Service Guarantee Program; Rule 25-4.107, Information to Customers; Rule 25-4.108, Initiation of Service; Rule 25-4.109, Customer Deposits; Rule 25-4.110, Customer Billing for Local Exchange Telecommunications Companies; Rule 25-4.112, Termination of Service by Customer; Rule 25-4.113, Refusal or Discontinuance of Service by Company; Rule 25-4.114, Refunds; Rule 25-4.115, Directory Assistance; Rule 25-4.117, 800 Service;

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Rule 25-4.200, Application and Scope; Rule 25-4.202, Construction; Rule 25-4.210, Service Evaluation and Investigations; Rule 25-4.214, Tariff Filings; Rule 25-4.215, Limited Scope Proceedings; Rule 25-9.005, Information to Accompany Filings; Rule 25-9.020, Front Cover; Rule 25-9.021, Title Page; Rule 25-9.022, Table of Contents; Rule 25-9.023, Description of Territory Served; Rule 25-9.024, Miscellaneous; Rule 25-9.025, Technical Terms and Abbreviations; Rule 25-9.026, Index of Rules and Regulations; Rule 25-9.027, Rules and Regulations; Rule 25-9.029, Index of Rate or Exchange Schedules; Rule 25-9.030, Rate Schedules-General; Rule 25-9.032, Telephone Utility Exchange Schedules; Rule 25-9.045, Withdrawal of Tariffs. Also none of the rules from Chapter 25-14 would apply if such test is met. Docket No. 080159-TP.

SUBJECT AREA TO BE ADDRESSED: Telecommunications regulation.

SPECIFIC AUTHORITY: 350.127(2), 364.10, 364.17 FS

LAW IMPLEMENTED: 350.115, 364.01, 364.02, 364.025, 364.0251, 364.03, 364.04, 364.08, 364.14, 364.15, 364.16, 364.17, 364.051, 364.163, 364.18, 364.183, 364.20, 364.28, 364.335, 364.3381, 364.385, 364.386, 365.171, 395.1027, FS

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 14, 2008 - 9:00 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL 32399-0850.

One or more Commissioners may be in attendance and participate at the workshop.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Miller, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6082, [cmiller@psc.state.fl.us](mailto:cmiller@psc.state.fl.us). The agenda for the workshop will be available after April 29, 2008.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

### Notice of Development of Rulemaking

#### PUBLIC SERVICE COMMISSION

##### RULE NO: RULE TITLE

25-9.001: Application and Scope

25-9.034: Contracts and Agreements

25-9.044: Change of Ownership

PURPOSE AND EFFECT: The revised rule in 25-9.001 clarifies what rules apply to local exchange telecommunications companies. The revised rule in 25-9.034 would expressly provide that the rule does not apply to agreements entered into by telecommunications companies. This would limit the scope of the rule to the regulated entities, such as electric and water industries. The revision in Rule 25-9.044 would state that the rule only applies to rate-of-return regulated local exchange telecommunications companies. Docket No. 080159-TP

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SUBJECT AREA TO BE ADDRESSED: Telecommunications regulation.

SPECIFIC AUTHORITY: 366.05(1), 350.127(2), 364.335, 367.121 FS

LAW IMPLEMENTED: 364.03, 364.04, 364.05, 364.08, 366.04(2)(b), 366.05(1), 367.041, 367.091, 367.101 FS

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Notice of Development of Rulemaking

**PUBLIC SERVICE COMMISSION**

RULE NO: RULE TITLE

25-14.001: In General

PURPOSE AND EFFECT: The rule revision would clarify that the rules in Chapter 25-14 do not apply to competitive local exchange companies or price regulated local exchange companies. Docket No. 080159-TP.

SUBJECT AREA TO BE ADDRESSED: Telecommunications regulation.

SPECIFIC AUTHORITY: 350.127(2), 366.05(1), 367.121 FS

LAW IMPLEMENTED: 364.03, 364.05, 364.337, 366.04, 366.041, 366.05, 367.121 FS

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Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6082, [cmiller@psc.state.fl.us](mailto:cmiller@psc.state.fl.us). The agenda for the workshop will be available after April 29, 2008.

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1 **25-4.002 Application and Scope.**

2 (1) These rules are intended to define reasonable service standards that will promote the  
3 furnishing of adequate and satisfactory local and long distance service to the public, and to  
4 establish the rights and responsibilities of both the company utility and the customer. The rules  
5 contained in Parts I-XI of this chapter apply to local exchange companies. ~~The rules contained in~~  
6 ~~Part II and Part V apply only to residential service.~~ The rules contained in Part X of Chapter 25-  
7 24, F.A.C., apply to any Interexchange Company. The rules in Part XI of Chapter 25-24, F.A.C.,  
8 apply to any pay telephone service company. The rules in Part XII of Chapter 25-24, F.A.C.,  
9 apply to all Shared Tenant Service Companies. The rules in Part XIII of Chapter 25-24, F.A.C.,  
10 apply to all Operator Service Provider Companies and call aggregators. The rules contained in  
11 Part XIV of Chapter 25-24, F.A.C., apply to all Alternative Access Vendor Service Providers.  
12 The rules contained in Part XV of Chapter 25-24, F.A.C., apply to all competitive local exchange  
13 telecommunications companies.

14 (2) In addition to the rules contained in this part, any local exchange company that  
15 provides operator services in a call aggregator context shall also comply with the rules contained  
16 in Part XIII of Chapter 25-24, F.A.C.

17 Specific Authority 350.127(2) FS.

18 Law Implemented 364.01, 364.335, 364.337, 364.3375, 364.3376 FS.

19 History—Revised 12-1-68, Formerly 25-4.02, Amended 2-23-87, 1-8-95, 2-1-99, 4-3-05.

20 **25-4.003 Definitions.**

21 For the purpose of Chapter 25-4, F.A.C., the definitions of the following terms apply:

22 (1) “Access Line” or “Subscriber Line” or “Subscriber Loop”. The circuit or channel  
23 between the demarcation point at the customer’s premises and the serving end or class 5 central

1 office.

2 (2) "Average Busy Season-Busy Hour Traffic." The average traffic volume for the busy  
3 season busy hours.

4 (3) "Billing Party." Any entity that bills an end user on its own behalf or on behalf of an  
5 originating party.

6 (4) "Busy Hour." The continuous one-hour period of the day during which the greatest  
7 volume of traffic is handled in the office.

8 (5) "Busy Season." The calendar month or period of the year (preferably 30 days but not  
9 to exceed 60 days) during which the greatest volume of traffic is handled in the office.

10 (6) "Call." An attempted telephone message.

11 (7) "Central Office." A location where there is an assembly of equipment that establishes  
12 the connections between subscriber access lines, trunks, switched access circuits, private line  
13 facilities, and special access facilities with the rest of the telephone network.

14 (8) "Commission." The Florida Public Service Commission.

15 (9) "Company," "Telecommunications Company," "Telephone Company," or "Utility."  
16 These terms may be used interchangeably herein and shall mean "telecommunications company"  
17 as defined in Section 364.02(14), F.S.

18 (10) Competitive Local Exchange Telecommunications Company (CLEC)." Any  
19 company certificated by the commission to provide local exchange telecommunications services  
20 in Florida on or after July 1, 1995.

21 (11) "Completed call." A call which has been switched through an established path so  
22 that two-way conversation or data transmission is possible.

23 (12) "Disconnect" or "Disconnection." The dissociation or release of a circuit. In the case

1 of a billable call, the end of the billable time for the call whether intentionally terminated or  
2 terminated due to a service interruption.

3 (13) "Drop or Service Wire." The connecting link that extends from the local distribution  
4 service terminal to the protector or telephone network interface device on the customer's  
5 premises.

6 (14) "Exchange." The entire telephone plant and facilities used in providing telephone  
7 service to subscribers located in an exchange area. An exchange may include more than one  
8 central office unit.

9 (15) "Exchange (Service) Area." The territory of a local exchange company (LEC) within  
10 which local telephone service is furnished at the exchange rates applicable within that area.

11 (16) "Extended Area Service." A type of telephone service whereby subscribers of a  
12 given exchange or area may complete calls to, and receive messages from, one or more other  
13 exchanges or areas without toll charges, or complete calls to one or more other exchanges or  
14 areas without toll message charges.

15 (17) "Foreign Exchange Service." A classification of LEC exchange service furnished  
16 under tariff provisions whereby a subscriber may be provided telephone service from an  
17 exchange other than the one from which he would normally be served.

18 (18) "Information Service." Telephone calls made to 900 or 976 type services, but does  
19 not include Internet services.

20 (19) "Intercept Service." A service arrangement provided by the telecommunications  
21 company whereby calls placed to an unequipped non-working, disconnected, or discontinued  
22 telephone number are intercepted by operator, recorder, or audio response computer and the  
23 calling party informed that the called telephone number is not in service, has been disconnected,

1 discontinued, or changed to another number, or that calls are received by another telephone. This  
2 service is also provided in certain central offices and switching centers to inform the calling  
3 party of conditions such as system blockages, inability of the system to complete a call as dialed,  
4 no such office code, and all circuits busy.

5 (20) "Inter-office Call." A telephone call originating in one central office but terminating  
6 in another central office, both of which are in the same designated exchange area.

7 (21) "Interstate Toll Message." Those toll messages that do not originate and terminate  
8 within the same state.

9 (22) "Intertoll Trunk." A line or circuit between two toll offices, two end offices, or  
10 between an end office and toll office, over which toll calls are passed.

11 (23) "Intra-office Call." A telephone call originating and terminating within the same  
12 central office.

13 (24) "Intrastate Interexchange Company (IXC)." Any entity that provides intrastate  
14 interexchange telecommunications services.

15 (25) "Intrastate Toll Message." Those toll messages which originate and terminate within  
16 the same state.

17 (26) "Invalid Number." A number comprised of an unassigned area code number or a  
18 non-working central office code (NXX).

19 (27) "Large LEC." A LEC certificated by the Commission prior to July 1, 1995, that had  
20 in excess of 100,000 access lines in service on July 1, 1995.

21 (28) "Local Access and Transport Area (LATA)" or "Market Area." A geographical area,  
22 which is loosely based on standard metropolitan statistical areas (SMSAs), within which a LEC  
23 may transport telecommunication signals.

1           (29) “Local Exchange Telecommunications Company (LEC).” Any telecommunications  
2 company, certificated by the Commission prior to July 1, 1995, to provide local exchange  
3 telecommunications service.

4           (30) “Local Provider (LP).” Any telecommunications company providing local  
5 telecommunications service, excluding pay telephone providers and call aggregators.

6           (31) “Local Service Area” or “Local Calling Area.” The area within which telephone  
7 service is furnished subscribers under a specific schedule of rates and without toll charges. A  
8 LEC’s local service area may include one or more exchange areas or portions of exchange areas.

9           (32) “Local Toll Provider (LTP).” Any entity providing intraLATA or intramarket area  
10 long distance telecommunications service.

11           (33) “Main Station.” The principal telephone associated with each service to which a  
12 telephone number is assigned and which is connected to the central office equipment by a circuit  
13 or channel.

14           (34) “Message.” A completed telephone call.

15           (35) “Mileage Charge.” A tariff charge for circuits and channels connecting other  
16 services that are auxiliary to local exchange service such as off premises extensions, foreign  
17 exchange and foreign central office services, private line services, and tie lines.

18           (36) “New Construction.” New construction is the installation of facilities to serve  
19 unserved areas; new construction is not the rearrangement or repair of defective facilities to serve  
20 an existing area. Adding to or the rearrangement of existing facilities is not considered “new  
21 construction” unless an engineer work order is issued.

22           (37) “Normal Working Days.” The normal working days for installation and construction  
23 shall be all days except Saturdays, Sundays, and holidays. The normal working days for repair

1 service shall be all days except Sundays and holidays. Holidays shall be the days which are  
2 observed by each individual telephone company.

3 (38) "Optional Calling Plan." An optional service furnished under tariff provisions which  
4 recognizes the need of some subscribers for extended area calling without imposing the cost on  
5 the entire body of subscribers.

6 (39) "Originating Party." Any person, firm, corporation, or other entity, including a  
7 telecommunications company or a billing clearinghouse, that provides any telecommunications  
8 service or information service to a customer or bills a customer through a billing party, except  
9 the term "originating party" does not include any entity specifically exempted from the definition  
10 of "telecommunications company" as provided in Section 364.02(14)(a) through (f), F.S.

11 (40) "Out of Service." The inability, as reported by the customer, to complete either  
12 incoming or outgoing calls over the subscriber's line. "Out of Service" shall not include:

13 (a) Service difficulties such as slow dial tone, circuits busy, or other network or switching  
14 capacity shortages;

15 (b) Interruptions caused by a negligent or willful act of the subscriber; and

16 (c) Situations in which a company suspends or terminates service because of nonpayment  
17 of bills, unlawful or improper use of facilities or service, or any other reason set forth in  
18 approved tariffs or Commission rules.

19 (41) "Outside Plant." The telephone equipment and facilities installed on, along, or under  
20 streets, alleys, highways, or on private rights-of-way between the central office and subscribers'  
21 locations or between central offices of the same or different exchanges.

22 (42) "Pay Telephone Service Company." Any telecommunications company that  
23 provides pay telephone service as defined in Section 364.3375, F.S.

1 (43) "PC-Freeze." (Preferred Carrier Freeze) A service offered that restricts the  
2 customer's carrier selection until further notice from the customer.

3 (44) "Price regulated local exchange telecommunications company." Any local exchange  
4 telecommunications company certificated by the Commission prior to July 1, 1995 that has  
5 elected to become subject to price regulation pursuant to Section 364.051, F.S.

6 (454) "Provider." Any entity providing telecommunication service, excluding pay  
7 telephone providers and call aggregators (i.e., local, local toll, and toll providers).

8 (46) "Rate-of-return regulated local exchange telecommunications company." Any local  
9 exchange telecommunications company certificated by the Commission prior to July 1, 1995 that  
10 has not elected to become subject to price regulation pursuant to Section 364.051, F.S.

11 (475) "Service Objective." A quality of service which is desirable to be achieved under  
12 normal conditions.

13 (486) "Service Standard." A level of service that a telecommunications company, under  
14 normal conditions, is expected to meet in its certificated territory as representative of adequate  
15 services.

16 (497) "Small LEC." A LEC certificated by the Commission prior to July 1, 1995, which  
17 had fewer than 100,000 access lines in service on July 1, 1995.

18 (5048) "Station." A telephone instrument consisting of a transmitter, receiver, and  
19 associated apparatus so connected as to permit sending or receiving telephone messages.

20 (5149) "Subscriber" or "Customer." These terms may be used interchangeably herein and  
21 shall mean any person, firm, partnership, corporation, municipality, cooperative organization, or  
22 governmental agency supplied with communication service by a telecommunications company.

23 (520) "Subscriber Line." or "Subscriber Loop." See "Access Line."



1           (~~534~~) “Switching Center.” Location at which telephone traffic, either local or toll, is  
2 switched or connected from one circuit or line to another. A local switching center may be  
3 comprised of several central office units.

4           (~~542~~) “Toll Connecting Trunk.” A trunk that connects a local central office with its toll  
5 operating office.

6           (~~553~~) “Toll Message.” A completed telephone call between stations in different  
7 exchanges for which message toll charges are applicable.

8           (~~564~~) “Toll Provider (TP).” Any entity providing interLATA long distance  
9 telecommunications service.

10          (~~575~~) “Traffic Study.” The process of recording usage measurements which can be  
11 translated into required quantities of equipment.

12          (~~586~~) “Trouble Report.” Any oral or written report from a subscriber or user of telephone  
13 service to the telephone company indicating improper function or defective conditions with  
14 respect to the operation of telephone facilities over which the telephone company has control.

15          (~~597~~) “Trunk.” A communication channel between central office units or entities, or  
16 private branch exchanges.

17          (~~6058~~) “Valid Number.” A number for a specific telephone terminal in an assigned area  
18 code and working central office which is equipped to ring and connect a calling party to such  
19 terminal number.

20 Specific Authority 350.127(2) FS.

21 Law Implemented 364.01, 364.02, 364.32, 364.335, 364.337, 364.3375, 364.3376, 364.602,  
22 364.603, 364.604 FS.

23 History—Revised 12-1-68, Amended 3-31-76, Formerly 25-4.03, Amended 2-23-87, 3-4-92, 12-

1 21-93, 3-10-96, 12-28-98, 7-5-00, 4-3-05, Repromulgated 5-8-05.

2 **25-4.006 Issuance of Certificate in the Event of Failure to Furnish Adequate Service.**

3 ~~If a certificate holder fails or refuses to provide reasonably adequate service to any~~  
4 ~~territory embraced within its certificate after notice and hearing and a reasonable opportunity to~~  
5 ~~do so, the Commission may issue a certificate to any other person willing and able to provide~~  
6 ~~reasonably adequate service to such territory.~~

7 Specific Authority 350.127(2) FS.

8 Law Implemented 364.01(4), 364.025, 364.335 FS.

9 History—Revised 12-1-68, Formerly 25-4.06, Repealed\_\_\_\_\_.

10 **25-4.007 Reference to Commission.**

11 ~~In the event of any question involving the interpretation of any of these rules and~~  
12 ~~regulations, any party in interest may apply in writing to the Commission for interpretation.~~

13 Specific Authority 364.20 FS.

14 Law Implemented 364.28 FS.

15 History—New 12-1-68, Formerly 25-4.07, Repealed\_\_\_\_\_.

16 25-4.008 Streamlined Regulation for Telecommunications Markets and Companies

17 (1) Determination of Whether a Market Should be Subject to Streamlined Regulation.

18 (a) A telecommunications company may apply for Streamlined Regulation of a market  
19 by showing that the market is competitive. A market may be defined, at the telecommunications  
20 company's option, as a Metropolitan Statistical Area, an exchange, the company's service  
21 territory, or on such other basis as submitted by the telecommunications company. A market that  
22 is competitive shall be eligible for Streamlined Regulation. For purposes of this subsection, the  
23 company's service territory means all exchanges served by a telecommunications company in

1 Florida.

2 (b) A market shall be determined to be competitive if:

3 1. At least three (3) local service access alternatives are present within the market. For  
4 purposes of this rule, local service access alternative means wireline, wireless, broadband, cable,  
5 or other technology approved by the Commission; and

6 2. At least two-thirds (2/3) of households within the market have access to at least three  
7 (3) different providers using any local service access alternative, including the  
8 telecommunications company seeking Streamlined Regulation.

9 (2) Determination of whether a Telecommunications Company Should be Subject to  
10 Streamlined Regulation:

11 (a) A telecommunications company not otherwise eligible for Streamlined Regulation in  
12 all its markets is eligible for Streamlined Regulation in all its markets if at least two-thirds (2/3)  
13 of its access lines in the state are in markets that have been determined to be competitive  
14 pursuant to Subsection (1) of this rule.

15 (b) A rate-of-return regulated telecommunications company is not eligible for  
16 Streamlined Regulation.

17 (3) Determination of Eligibility for Streamlined Regulation:

18 (a) A telecommunications company seeking a determination of Streamlined Regulation  
19 for eligible markets pursuant o Subsection (1) of this rule shall file an application with the  
20 Commission. The application must:

21 1. Identify each market that is eligible for Streamlined Regulation;

22 2. Identify the number and type of local service access alternatives existing within each  
23 eligible market; and

1           3. Identify the percentage of households within each market that have access to at least  
2 three(3) different providers using any local service access alternative.

3           (b) A telecommunications company seeking a determination that it should be subject to  
4 Streamlined Regulation pursuant to Subsection (2) of this rule shall file an application with the  
5 Commission. The application must:

6           1. Identify the applicable markets which are competitive pursuant to Subsection (1) of  
7 this rule; and

8           2. Show that at least two-thirds (2/3) of its access lines in the state are in competitive  
9 markets pursuant to Subsection (1) of this rule.

10          (c) The Commission shall grant or deny an application for Streamlined Regulation, using  
11 the criteria in Subsection (1) or (2), within 45 days of the date of filing, unless both the  
12 telecommunications company and the Commission agree to extend the effective date for a period  
13 of time, not to exceed an additional 45 days. If the Commission denies the application, it must  
14 notify the telecommunications company and describe the reasons for the denial, within 45 days  
15 of the date of the initial filing or by the agreed-upon extension date, if applicable.

16          (d) Notice of the Commission's grant or denial of an application for Streamlined  
17 Regulation shall be given by a notice of proposed agency action issued by the Commission. Any  
18 substantially affected person may challenge the Commission's decision regarding an application  
19 for Streamlined Regulation by filing a protest to the proposed agency action within 21 days. If a  
20 protest is filed, the Commission shall issue a final order granting or denying the application  
21 within 90 days of the filing of the protest.

22          (e) A denial of an application for Streamlined Regulation by the Commission does not  
23 disqualify a market or a telecommunications company for a subsequent determination of

1 Streamlined Regulation. Any subsequent application for Streamlined Regulation will depend on  
2 the degree of competition existing at the time of any subsequent application for Streamlined  
3 Regulation.

4 (4) Rules Applicable to Competitive Markets or Companies Subject to Streamlined  
5 Regulation:

6 (a) This rule applies only to competitive markets, pursuant to Subsection (1) of this rule,  
7 or to companies subject to Streamlined Regulation, pursuant to Subsection (2) of this rule.

8 (b) Chapters 25-4, 25-9, 25-14 and 25-24, F.A.C., shall continue to apply to competitive  
9 markets or companies subject to Streamlined Regulation, to the extent they currently do, except  
10 as otherwise provided by this rule.

11 (c) The following rules from Chapter 25-4, F.A.C. shall not apply to competitive markets  
12 or to companies subject to Streamlined Regulation:

13 1. Rule 25-4.0185, F.A.C., Periodic Reports

14 2. Rule 25-4.0201, F.A.C., Audit Access to Records

15 3. Rule 25-4.021, F.A.C., System Maps and Records

16 4. Rule 25-4.023, F.A.C., Report of Interruptions

17 5. Rule 25-4.066, F.A.C., Availability of Service

18 6. Rule 25-4.069, F.A.C., Maintenance of Plant and Equipment

19 7. Rule 25-4.070, F.A.C., Customer Trouble Reports

20 8. Rule 25-4.071, F.A.C., Adequacy of Service

21 9. Rule 25-4.072, F.A.C., Transmission Requirements

22 10. Rule 25-4.073, F.A.C., Answering Time

23 11. Rule 25-4.074, F.A.C., Intercept Service

- 1        12. Rule 25-4.077, F.A.C., Metering and Recording Equipment
- 2        13. Rule 25-4.083, F.A.C., Preferred Carrier Freeze
- 3        14. Rule 25-4.085, F.A.C., Service Guarantee Program
- 4        15. Rule 25-4.107, F.A.C., Information to Customers
- 5        16. Rule 25-4.108, F.A.C., Initiation of Service
- 6        17. Rule 25-4.109, F.A.C., Customer Deposits
- 7        18. Rule 25-4.110, F.A.C., Customer Billing for Local Exchange Telecommunications

8        Companies

- 9        19. Rule 25-4.112, F.A.C., Termination of Service by Customer
- 10       20. Rule 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company
- 11       21. Rule 25-4.114, F.A.C., Refunds
- 12       22. Rule 25-4.115, F.A.C., Directory Assistance
- 13       23. Rule 25-4.117, F.A.C., 800 Service
- 14       24. Rule 25-4.200, F.A.C., Application and Scope
- 15       25. Rule 25-4.202, F.A.C., Construction
- 16       26. Rule 25-4.210, F.A.C., Service Evaluation and Investigations
- 17       27. Rule 25-4.214, F.A.C., Tariff Filings
- 18       28. Rule 25-4.215, F.A.C., Limited Scope Proceedings
- 19       (d) The following rules from Chapter 25-9, F.A.C. shall not apply to competitive markets

20       or companies subject to Streamlined Regulation:

- 21       1. Rule 25-9.005, F.A.C., Information to Accompany Filings
- 22       2. Rule 25-9.020, F.A.C., Front Cover
- 23       3. Rule 25-9.021, F.A.C., Title Page

1           4. Rule 25-9.22, F.A.C., Table of Contents

2           5. Rule 25-9.023, F.A.C., Description of Territory Served

3           6. Rule 25-9.024, F.A.C., Miscellaneous

4           7. Rule 25-9.025, F.A.C., Technical Terms and Abbreviations

5           8. Rule 25-9.026, F.A.C., Index of Rules and Regulations

6           9. Rule 25-9.027, F.A.C., Rules and Regulations

7           10. Rule 25-9.029, F.A.C., Index of Rate or Exchange Schedules

8           11. Rule 25-9.030, F.A.C., Rate Schedules - General

9           12. Rule 25-9.032, F.A.C., Telephone Utility Exchange Schedules

10          13. Rule 25-9.459, F.A.C., Withdrawal of Tariffs

11          (e) None of the rules from Chapter 25-14, F.A.C., shall apply to competitive markets or  
12 companies subject to Streamlined Regulation.

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

14          Law Implemented: 364.01(4), 364.03, F.S.

15          History: New \_\_\_\_\_.

16          **25-4.017 Uniform System of Accounts.**

17           (1) Each rate-of-return regulated local exchange telecommunications company shall  
18 maintain its accounts and records in conformity with the Uniform System of Accounts for  
19 Telecommunications Companies (USOA) as prescribed by the Federal Communications  
20 Commission in Title 47, Code of Federal Regulations, Part 32 Class A, revised as of October 1,  
21 2002, and as modified below. Inquiries relating to interpretation of the USOA shall be submitted  
22 in writing to the Commission's Division of Economic Regulation.

23           (2) Each rate-of-return regulated local exchange telecommunications company shall

1 establish separate depreciation reserve subaccounts for each corresponding subaccount  
2 established in the USOA or by rules of this Commission.

3 (3) A rate-of-return regulated local exchange telecommunications company may use a  
4 different account numbering system but shall use the same account descriptions as prescribed in  
5 the USOA or by this Commission. If a different account numbering system is used, a cross  
6 reference of the company's system to the Commission's numbering system shall be shown in the  
7 company's chart of accounts.

8 (4) Each rate-of-return regulated local exchange telecommunications company shall file,  
9 within 60 days of a final order involving accounting matters, a description of all resultant entries  
10 and adjustments to the accounting records.

11 Specific Authority 350.127(2) FS.

12 Law Implemented 350.115, 364.17 FS.

13 History—Revised 12-1-68, Amended 3-31-76, 8-21-79, 1-2-80, 12-13-82, 12-13-83, 9-30-85,

14 Formerly 25-4.17, Amended 11-30-86, 4-25-88, 2-10-92, 8-11-92, 3-10-96, 9-15-03,\_\_\_\_\_.

15 **25-4.0174 Uniform System and Classification of Accounts - Depreciation.**

16 (1) Depreciation rates for rate-of-return regulated local exchange telecommunications  
17 companies are to be designed in accordance with the Uniform System and Classification of  
18 Accounts (USOA) and this rule. The primary accounts listed below are identical to those  
19 prescribed in the USOA. New accounts and subaccounts, as listed below, are established under  
20 these accounts. They are intended to group together items which are relatively homogeneous in  
21 their expected life and salvage characteristics, and are for the purpose of establishing uniformity  
22 among the companies in depreciation studies.

23 (2) A rate-of-return regulated local exchange telecommunications company may further



1 develop depreciation subaccounts within a listed account as appropriate for its plant. No  
2 company shall, however, establish a new subaccount that would represent less than ten percent of  
3 the original primary account.

4 (3) Notwithstanding subsection (2), a new subaccount must be established for the  
5 introduction of a new technology, or for the treatment of an obsolescent component of a current  
6 viable technology.

7 (4) Depreciation reserve, plant activity data, salvage cost, and costs of removal,  
8 respectively, shall be maintained for each depreciation category for which a depreciation rate is  
9 to be developed. This shall be done on the books of the rate-of-return regulated local exchange  
10 telecommunications company.

11 (5) The following accounts and subaccounts, where applicable, shall be used in the  
12 design of depreciation rates.

13 (a) Support assets, Account 2110. The following accounts shall be used:

14 1. Motor vehicles, Account 2112. The following subaccounts shall be used,

15 a. Passenger cars and light trucks. This account shall include passenger cars and trucks of  
16 one ton in capacity or less.

17 b. Heavy trucks and special purpose vehicles. This subaccount shall include trucks of  
18 greater than one ton capacity.

19 c. Tractors and trailers.

20 2. Garage work equipment, Account 2115. This account shall include tools and  
21 equipment used to maintain vehicles.

22 3. Other work equipment, Account 2116. This account shall include power operated  
23 equipment, general purpose tools, and other such work equipment items.

1           4. Buildings, Account 2121.

2           5. Furniture, Account 2122.

3           6. Office equipment, Account 2123. The following subaccounts shall be used:

4           a. Office support equipment. This subaccount shall include office devices such as  
5 typewriters, cash registers, check writers, calculating, reproducing, addressing, billing,  
6 blueprinting, and other office machines.

7           b. Company communications equipment. This subaccount shall include CPE and PBX  
8 equipment installed for official company use.

9           7. General purpose computers, Account 2124.

10          (b) Central office switching, Account 2211. The following accounts shall be used:

11          1. Analog electronic switching, Account 2211. This account shall be established for  
12 analog switching equipment and peripheral gear. It shall include equipment serving analog  
13 switchers that is used solely for recording calling telephone numbers in connection with  
14 customer dialed charged traffic dial tandem switchboards and special service switchboards used  
15 in conjunction with private line service. It shall not include switchboards, and integral equipment  
16 thereof, which perform an operator assistance function.

17          2. Digital electronic switching, Account 2212. This account includes investments in  
18 digital switches. This switching account shall include equipment serving digital electronic  
19 switchers that is used solely for the recording of calling telephone numbers in connection with  
20 customer dialed charged traffic dial tandem switchboards and special service switchboards used  
21 in conjunction with private line service. It shall not include switchboards, and integral equipment  
22 thereof, which perform an operator assistance function. Major components such as hardware,  
23 processors, and cards that are expected to live substantially different from the remaining switch

1 investment should be considered as subcomponents in developing the rate for the account.

2 3. Electromechanical switching, Account 2215. This switching account includes  
3 investments in step-by-step or crossbar switchers. It does not include digital compatible  
4 equipment that is expected to live beyond the calculated life of electromechanical switching.

5 Such investment shall be in a separate subaccount or included as a subcomponent used to  
6 develop the rate for the account or subaccount. This account also does not include switchboards  
7 which perform an operator assistance function and equipment which is an integral part thereof. It  
8 shall include, however, equipment serving electromechanical switchers that is used solely for the  
9 recording of calling telephone numbers in connection with customer dialed charged traffic dial  
10 tandem switchboards and special service switchboards used in conjunction with private line  
11 service.

12 (c) Operator systems, Account 2220. This account shall include such charges as directory  
13 assistance, call intercept, and other operator assisted call completion activities.

14 (d) Central office – transmission, Account 2230. The following accounts shall be used:

15 1. Radio systems, Account 2231.

16 2. Circuit equipment, Account 2232. This investment shall be subcategorized in accord  
17 with the planning of the company, to be separated between the following:

18 a. Analog;

19 b. Digital; and

20 c. That portion associated with optic technology.

21 (e) Information organization or termination, Account 2310. The following accounts shall  
22 be used:

23 1. Public telephone equipment. This account shall include coinless, coin-operated

1 (including public and semi-public), credit card, and pay telephones.

2 2. Other regulated station equipment. This account shall include private line equipment,  
3 telecommunication devices for the deaf, E-911 equipment, and network carrier equipment  
4 physically located on the customer's premises.

5 (f) Cable and wire facilities, Account 2410. The following accounts shall be used:

6 1. Poles, Account 2411.

7 2. Aerial cable, Account 2421. The following subaccounts shall be used:

8 a. Metallic. This investment shall be further subcategorized in accord with company  
9 planning; and

10 b. Fiber.

11 3. Underground cable, Account 2422. The following subaccounts shall be used:

12 a. Metallic. This investment shall be further subcategorized in accord with company  
13 planning; and

14 b. Fiber.

15 4. Buried cable, Account 2423. The following subaccounts shall be used:

16 a. Metallic. This subaccount shall be further subcategorized in accord with company  
17 planning; and

18 b. Fiber.

19 5. Submarine cable, Account 2424. The following subaccount shall be used:

20 a. Metallic. This investment shall be further subcategorized in accord with company  
21 planning; and

22 b. Fiber.

23 6. Intrabuilding network cable, Account 2426. The following subaccounts shall be used:

1           a. Metallic. This investment shall be further subcategorized in accord with company  
2 planning; and

3           b. Fiber.

4           7. Aerial wire, Account 2431.

5           8. Conduit systems, Account 2441.

6           (6) Depreciation rates used after July 1, 1996, shall be based on the account  
7 classifications in the USOA and this rule. In implementing these rates the following procedures  
8 shall be followed:

9           (a) Reserve activity data, plant activity data, salvage costs, and costs of removal are to be  
10 recorded to the new accounts for activity subsequent to July 1, 1996.

11           (b) The separation of investments and reserves under prior accounts into balances relating  
12 to new accounts and subaccounts under this rule may require estimation. Where vintaged  
13 distributions are maintained, separation into accounts and subaccounts may require  
14 synthesization.

15           (c) If an existing account, in the opinion of the Commission, is essentially compatible  
16 with an account listed in this rule, that account shall be deemed to be in compliance with this  
17 rule.

18           Specific Authority 350.127(2) FS.

19           Law Implemented 350.115, 364.17 FS.

20           History--New 4-25-88, Amended 9-11-96,\_\_\_\_\_.

21           **25-4.0175 Depreciation.**

22           (1) For the purposes of Part II, the following definitions shall apply to small local  
23 exchange companies remaining under rate of return regulation:

1 (a) Category or Category of Depreciable Plant – A grouping of plant for which a  
2 depreciation rate is prescribed. At a minimum it should include each plant account prescribed in  
3 Rule 25-4.017, F.A.C.

4 (b) Average Service Life – The period of time that the given type of equipment, on  
5 average, can be expected to prudently and economically serve the public.

6 (c) Embedded Vintage – A vintage of plant in service as of the date of study or  
7 implementation of proposed rates.

8 (d) Mortality Data – Historical data by study category showing plant balances, additions,  
9 adjustments and retirements, used in analyses for life indications or for calculations of realized  
10 life. Preferably, this is aged data in accord with the following:

11 1. The number of plant items or equivalent units (usually expressed in dollars) added  
12 each calendar year.

13 2. The number of plant items retired (usually expressed in dollars) each year and the  
14 distribution by years of placing of such retirements.

15 3. The net increase or decrease resulting from purchases, sales, or adjustments, and the  
16 distribution by years of placing of such amounts.

17 4. The number that remains in service (usually expressed in dollars) at the end of each  
18 year and the distribution by years of placing of such amounts.

19 (e) Remaining Life Method – The method of calculating a depreciation rate based on the  
20 unrecovered plant balance, less average future net salvage and the average remaining life. The  
21 formula for calculating a Remaining Life Rate (RLR) is:

$$100\% - \text{Reserve \%} - \text{Average Future Net Salvage \%}$$

$$\text{RLR} = \underline{\hspace{10em}}$$

Average Remaining Life in Years

1 (f) Reserve Data – Historical data by study category showing reserve balances, debits and  
2 credits such as booked depreciation expense, salvage and cost of removal, and adjustments to the  
3 reserve utilized in monitoring reserve activity and position.

4 (g) Reserve Deficiency – An inadequacy in the reserve of a category as evidenced by a  
5 comparison of that reserve indicated as necessary under current projections of life and salvage  
6 with that reserve historically accrued. The latter figure may be available from the company’s  
7 records or may require retrospective calculation.

8 (h) Reserve Surplus – An excess in the reserve of a category as evidenced by a  
9 comparison of that reserve indicated as necessary under current projections of life and salvage  
10 with that reserve historically accrued. The latter figure may be available from the company’s  
11 records or may require retrospective calculation.

12 (i) Salvage Data – Historical data by study category showing bookings of retirements,  
13 gross salvage and cost of removal used in analysis of trends in gross salvage and cost of removal,  
14 or for calculations of realized salvage.

15 (j) Theoretical Reserve or Prospective Theoretical Reserve – A calculated reserve based  
16 on components of the proposed rate, using the formula:

17 
$$\text{Theoretical Reserve} = \text{Book Investment} - \text{Future Accruals} - \text{Future Net Salvage}$$

18 (k) Vintage – The year of placement of a group of plant items or investment under study.

19 (l) Whole Life Method – The method of calculating a depreciation rate based on the  
20 Whole Life (Average Service Life) and the Average Net Salvage. Both life and salvage  
21 components are the estimated or calculated composite of realized experience and expected  
22 activity. The formula is:

100% – Average Net Salvage %

Whole Life Rate = 
$$\frac{100\% - \text{Average Net Salvage \%}}{\text{Average Service Life in Years}}$$

1  
2  
3  
4  
5  
6

(2)(a) Ranges for basic life and salvage values, established by the Commission, may be used by small rate-of-return regulated local exchange telecommunications companies LECs regardless of the depreciation methodology utilized. The ranges for basic life and salvage values for small LECs are as follows:

Ranges of Basic Life and Salvage Values for Small Local Exchange Companies

AVERAGE SERVICE LIFE NET SALVAGE

ACCOUNT

GENERAL SUPPORT ASSETS	(Years)	(Percent)
------------------------	---------	-----------

Motor vehicle

Passenger cars & light trucks	6-8	10-20
Heavy trucks & special purpose vehicles	8-11	5-10

Buildings	32-36	0-5
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Other work equipment	7 yr. Amortization	
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Furniture	10 yr. Amortization	
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Office machines	7 yr. Amortization	
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Office equipment (official use)	5 yr. Amortization	
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Computer equipment	5 yr. Amortization	
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CENTRAL OFFICE ASSETS

Digital switching	13-16	0-5
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Operator systems	8-10	0-5
Radio	10-12	(5)-0
Circuit		
Analog	8-10	(5)-0
Digital	10-12	0-5
Fiber electronics (optics)	8-10	0-5

INFORMATION/ORIGINATION

ASSETS

Public telephone equipment	8-10	0-5
Other	8-10	0-5

CABLE/WIRE FACILITIES

Poles	20-22	(60)-(40)
Aerial cable		
Metallic	18-20	(30)-(20)
Fiber	20-22	(30)-(20)
Underground cable		
Metallic	19-21	(10)-(5)
Fiber	20-22	(10)-(5)
Buried cable		
Metallic	17-19	(5)-0
Fiber	20-22	(5)-0
Submarine cable		
Metallic	20-25	(5)-0

Fiber	20-22	(5)-0
Underground conduit	50-52	(5)-0

Aerial wire – Expense all future additions and amortize embedded portion over 3 years.

1 (b) A rate-of-return regulated local exchange telecommunications company shall not  
2 petition the Commission to change any existing depreciation rate more than once a year.

3 (c) A rate-of-return regulated local exchange telecommunications company may not  
4 reallocate accumulated depreciation reserves among any primary accounts and subaccounts  
5 without prior Commission approval.

6 (3)(a) Each rate-of-return regulated local exchange telecommunications company shall  
7 maintain depreciation rates and accumulated depreciation reserves in accounts or subaccounts as  
8 prescribed by Rule 25-4.0174, F.A.C., and as set forth in paragraph (2)(a) of this rule.  
9 Companies may maintain further sub-categorization.

10 (b) Upon establishing a new account or subaccount classification, each rate-of-return  
11 regulated local exchange telecommunications company shall request Commission approval of a  
12 depreciation rate for the new plant category.

13 (c) A rate-of-return regulated local exchange telecommunications company's current  
14 average service life is that which has been approved by the Commission and in effect as of the  
15 effective date of this rule. To determine if a company's current average service life is within an  
16 established range, current average service lives not reflected as a whole number shall be rounded  
17 using traditional rounding methodology. (For example, 1.1-1.4 rounds to 1.0; 1.5-1.9 rounds to  
18 2.0.)

19 (4) If the rate-of-return regulated local exchange telecommunications company's  
20 proposed and current average service lives for a given account are within the ranges established

1 in paragraph (2)(a), no additional support for those values shall be required. If the company's  
2 proposed and current net salvage values for a given account are within the ranges established in  
3 paragraph (2)(a), no additional support for those values shall be required. The company shall  
4 submit to the Office of Commission Clerk the original, five hard copies, and a diskette of the  
5 information required by subsection (8) of this rule.

6 (5) A rate-of-return regulated local exchange telecommunications company proposing  
7 basic life or salvage values outside of the ranges established in paragraph (2)(a) of this rule shall  
8 submit to the Office of Commission Clerk the original and five hard copies, and a diskette of the  
9 information required by subsection (10) of this rule.

10 (6) After filing a petition for a change in depreciation rates, the rate-of-return regulated  
11 local exchange telecommunications company may reflect on its books and records the  
12 preliminary implementation of the proposed rates as of the proposed effective date. These rates  
13 are subject to Commission approval.

14 (7) Any party protesting a Commission approved depreciation life or salvage value, shall  
15 carry the burden of proof in demonstrating that each protested value is unsupported by the  
16 operations and planning of each company.

17 (8) A depreciation filing shall include:

18 (a) A comparison of current and proposed depreciation rates and components for each  
19 category of depreciable plant. Current rates shall be identified as to the effective date and  
20 proposed rates as to the proposed effective date.

21 (b) A comparison of annual depreciation expense, as of the proposed effective date,  
22 resulting from current rates with the expense produced by the proposed rates for each category of  
23 depreciable plant. The plant balances may involve estimates. Submitted data including plant and

1 reserve balances or company planning involving estimates shall be brought to the effective date  
2 of the proposed rates.

3 (c) Each recovery and amortization schedule currently in effect should be included with  
4 any new filing showing total amount amortized, effective date, length of schedule, annual  
5 amount amortized, and reason for the schedule.

6 (d) A general narrative describing the service environment of the applicant company and  
7 the factors, e.g., growth, technology, and physical conditions necessitating a revision in rates.

8 (9) If a rate-of-return regulated local exchange telecommunications company's current  
9 average service life or salvage value for any given category of depreciable plant is not within the  
10 established range, the company must file the information in subsection (10) to justify its move  
11 into the range.

12 (10) For each account that the rate-of-return regulated local exchange  
13 telecommunications cCompany proposed life or salvage value is not within the established  
14 range, the depreciation filing shall include the information in subsection (8) as well as the  
15 following:

16 (a) An explanation and justification for each study category of depreciable plant defining  
17 the specific factors that justify the life or salvage components and rates being proposed. Each  
18 explanation and justification shall include substantiating factors utilized by the company in the  
19 design of the depreciation rates for the specific category, e.g., company planning, growth,  
20 technology, physical conditions, and trends. The explanation and justification shall state any  
21 statistical or mathematical methods of analysis or calculation used in the design of the category  
22 rate.

23 (b) The mortality and salvage data used by the company in the depreciation rate design

1 must agree with activity booked by the utility. Unusual transactions not included in life or  
2 salvage studies, e.g., sales or extraordinary retirements must be specifically enumerated and  
3 explained.

4 (c) The filing shall contain all calculations, analysis and numerical basic data used in the  
5 design of the depreciation rate for each category of depreciable plant. To the degree possible,  
6 data involving retirements should be aged.

7 (11)(a) Rate-of-return regulated local exchange telecommunications cCompanies shall  
8 provide calculations of depreciation rates using either the whole life method or the remaining life  
9 method. The use of one of these methods is required for all depreciable categories.

10 (b) Rate-of-return regulated local exchange telecommunications cCompanies shall file an  
11 election to remain with the remaining life methodology or move to whole life methodology  
12 within 90 days of the effective date of this rule. Failure to file an election shall result in the  
13 company's use of remaining life methodology. Only one election regarding depreciation  
14 methodology will be permitted.

15 (12) When a rate-of-return regulated local exchange telecommunications company elects  
16 whole life methodology, no recovery of reserve imbalances will be considered for depreciation  
17 purposes. This methodology is not reserve sensitive.

18 (13) When a rate-of-return regulated local exchange telecommunications company elects  
19 remaining life methodology, the following apply:

20 (a) A company requiring the Commission staff's assistance in determining a remaining  
21 life based on its average service life selection, shall notify the Director of the Division of  
22 Economic Regulation, by letter, three months prior to the company's filing date.

23 (b) The possibility of corrective reserve transfers shall be investigated by the Commission

1 prior to changing depreciation rates.

2 (c) It shall be a rebuttable presumption that in determining the average remaining life, the  
3 mortality curve shapes shall be those used by the Commission the last time it prescribed rates.

4 (14)(a) A rate-of-return regulated local exchange telecommunications company  
5 proposing an effective date of the beginning of its fiscal year shall submit its petition for a  
6 change in depreciation rates no later than the mid-point of that fiscal year.

7 (b) A rate-of-return regulated local exchange telecommunications company proposing an  
8 effective date coinciding with the expected date of additional revenues initiated through a rate  
9 case proceeding shall submit its petition for a change in depreciation rates no later than the filing  
10 date of its Minimum Filing Requirements.

11 (15) Included as part of the annual report filed pursuant to Rule 25-4.135, F.A.C., each  
12 rate-of-return regulated local exchange telecommunications company shall provide Schedule B-  
13 3, Analysis of Plant In Service, and Schedule B-4, Analysis of Accumulated Depreciation.  
14 Schedule B-3 shall include booked plant activity (plant balance at the beginning of the year,  
15 additions, adjustments, transfers, reclassifications, retirements, and plant balance at year end).  
16 Schedule B-4 shall include reserve activity (reserve balance at the beginning of the year,  
17 retirements, accruals, salvage, cost of removal, adjustments, transfers, reclassifications, and  
18 reserve balance at year end) for each category of investment for which a depreciation rate,  
19 amortization schedule, or capital recovery schedule has been approved.

20 (16)(a) Prior to the date of retirement, the Commission may approve capital recovery  
21 schedules to correct calculated deficiencies where a utility demonstrates that replacement of an  
22 installation or group of installations is prudent, and the associated investment will not be  
23 recovered by the time of retirement through the existing depreciation rate.

1 (b) The Commission may approve a special capital recovery schedule when an  
2 installation is designed for a specific purpose or for a limited duration.

3 (c) Associated plant and reserve activity, balances, and the annual capital recovery  
4 schedule expense must be maintained as subsidiary records.

5 Specific Authority 350.127(2) FS.

6 Law Implemented 350.115, 364.03 FS.

7 History--New 9-8-81, Amended 4-28-83, 1-6-85, Formerly 25-4.175, Amended 4-27-88, 12-12-  
8 91, 9-11-96,\_\_\_\_\_.

9 **25-4.0178 Retirement Units.**

10 (1) This rule is intended to establish uniform retirement units for rate-of-return regulated  
11 local exchange telecommunications ~~telephone~~ companies and does not relieve any rate-of-return  
12 regulated local exchange telecommunications company from maintaining its accounts and  
13 records in conformity with the Uniform System and Classification of Accounts (USOA) as  
14 prescribed by the Federal Communications Commission (FCC) in Title 47, Code of Federal  
15 Regulations, Part 32, as adopted on December 2, 1986 and revised as of December 1, 1987,  
16 except to the extent that this rule requires different treatment as stated below.

17 (2) For the purposes of this rule the following definitions apply:

18 (a) "Book Cost" means the amount at which a retirement unit is included in a telephone  
19 plant account, including the costs of all labor and installation. This cost is to be determined from  
20 the rate-of-return regulated local exchange telecommunications company's records, but if it  
21 cannot be, it is to be estimated.

22 (b) "Cost or in-plant cost" means original purchase price plus all labor and installation  
23 costs.

1 (c) "Cost of Removal" means the cost of demolishing, dismantling, removing, tearing  
2 down or otherwise disposing of a retirement unit, including the cost of transportation and  
3 handling.

4 (d) "Cradle-To-Grave Accounting" means an accounting method which treats a unit of  
5 plant as being in service from the time it is first purchased until it is finally junked or is  
6 otherwise finally disposed. Periods of in shop for refurbishing or in stock/inventory awaiting  
7 reinstallation are treated as being in service.

8 (e) "Gross Salvage" means the amount received from selling or trading-in a retirement  
9 unit; or, if retained for reuse, the original, or estimated if not known, material cost of the unit.

10 (f) "Item" means a single identifiable unit of plant. Where a dollar threshold is imposed,  
11 that threshold applies to the single item and not to the total of a group of such items purchased in  
12 one order.

13 (g) "Minor Item" means any part or element of plant which is not designated as a  
14 retirement unit, but may be a component of or adjunct to a retirement unit.

15 (h) "Plant Retired" means a retirement unit not subject to cradle to grave accounting, or  
16 an unreplaced minor item which has been removed, sold, abandoned, destroyed or otherwise  
17 removed from service.

18 (i) "Retirement Unit" means an item of telephone plant designated as a retirement unit  
19 which when placed in service is to be capitalized if the cost of the unit meets the criteria in the  
20 "List of Retirement Units", and when removed from service, without a replacement or with a  
21 replacement that meets the criteria in the "List of Retirement Units", is to be credited to the plant  
22 account in which it is included and debited to the associated account reserve.

23 (3) All depreciable plant is considered as consisting of retirement units or minor items of



1 plant. Each rate-of-return regulated local exchange telecommunications company is to use this  
2 list of retirement units on a prospective basis. A rate-of-return regulated local exchange  
3 telecommunications company may add retirement units to this list. In the case of such addition,  
4 the rate-of-return regulated local exchange telecommunications company shall notify the  
5 Director of the Division of Economic Regulation within thirty days as to the nature and  
6 justification of the addition. However, the combination of any retirement units or the increase in  
7 size of any unit will not be permitted without Commission prior approval. Additions to or  
8 revisions to this list will be issued, when necessary, by this Commission.

9 (4) The addition and retirement of retirement units are to be accounted for as follows:

10 (a) When a retirement unit other than one designated for Company Communications  
11 Equipment, Account 2132.2, or Public Telephone Equipment, Account 2351, is placed in service  
12 for the first time at a location, the cost of the unit, if it meets the criteria in the “Lists of  
13 Retirement Units”, should be added to the appropriate plant account along with associated labor  
14 and installation costs.

15 (b) When a retirement unit for Company Communications Equipment, Account 2123.2,  
16 or Public Telephone Equipment, Account 2351, is placed in service for the first time at a  
17 location, only the materials cost of the unit, if it meets the criteria in the “List of Retirement  
18 Units”, shall be added to the appropriate plant account. Associated labor and minor materials  
19 costs of installing such equipment shall be charged to the appropriate expense account.

20 (c) When a retirement unit is replaced, the cost of the replacement should be accounted  
21 for in the same manner as in subsection (a) if the cost meets the criteria set forth in the “List of  
22 Retirement Units” referred to in subsection (6). Otherwise, the charge should be made to the  
23 appropriate expense account.

1 (d) When a retirement unit is retired, with a replacement that meets the criteria in the  
2 “List of Retirement Units” referred to in subsection (6), or is retired without replacement, the  
3 book cost of the retiring unit is to be credited to the plant account in which it is included and  
4 likewise debited to the associated account reserve. Any cost of removal and gross salvage  
5 associated with the retirement should be debited and credited, respectively, to the account  
6 reserve. Cost of the retiring unit, removal and gross salvage are to be recorded within one month  
7 of the retirement date. Such costs may be estimated with corrective adjustment entries made  
8 when the transactions are finalized.

9 (5) The addition and retirement of minor items of depreciable property other than  
10 Company Communications Equipment, Account 2123.2, and Public Telephone Equipment  
11 Account 2351, are to be accounted for as follows:

12 (a) When a minor item which did not previously exist as a part of a retirement unit at a  
13 given location is added, the cost is to be accounted for in the same manner as the addition of a  
14 retirement unit.

15 (b) When a minor item is retired and not replaced, the book cost along with any  
16 associated cost of removal and gross salvage is to be accounted for in the same manner as the  
17 retirement of a retirement unit. If, however, the book cost of such a minor item has been  
18 accounted for by its inclusion in the retirement unit of which it is a part, no separate credit to the  
19 property account or debit to the associated account reserve is to be made.

20 (c) When a minor item is replaced independently of the retirement unit of which it is a  
21 part, the cost of replacement is to be charged to the appropriate maintenance account for that  
22 item. If, however, the replacement causes a substantial betterment, the primary aim of which is to  
23 make the property affected more useful, more efficient, of greater durability, or of greater

1 capacity, the excess cost of the replacement over the estimated cost at current prices of the  
2 replacement without betterment should be charged to the appropriate plant account.

3 (6) The Florida Public Service Commission document "List of Retirement Units  
4 (Telephone Utilities)" dated January 1, 1988, is hereby incorporated by reference. A copy of this  
5 document may be obtained from the Director, Division of Economic Regulation, Florida Public  
6 Service Commission.

7 (7) The capitalization and expensing of depreciable plant for 1988 and subsequent years  
8 shall be governed by this rule.

9 Specific Authority 350.127(2) FS.

10 Law Implemented 350.115, 364.17 FS.

11 History--New 4-25-88, Amended\_\_\_\_\_.

12 **25-4.019 Records and Reports in General.**

13 ~~(1) Each utility shall furnish to the Commission at such times and in such form as the~~  
14 ~~Commission may require, the results of any required tests and summaries of any required~~  
15 ~~records. The utility shall also furnish the Commission with any information concerning the~~  
16 ~~utility's facilities or operations which the Commission may reasonably request and require. All~~  
17 ~~such data, unless otherwise specified, shall be consistent with and reconcilable with the utility's~~  
18 ~~annual report to the Commission.~~

19 ~~(2) Where a telephone company is operated with another enterprise, records must be~~  
20 ~~separated in such manner that the results of the telephone operation may be determined at any~~  
21 ~~time.~~

22 ~~(3) Upon notification to the utility, members may, at reasonable times, make personal~~  
23 ~~visits to the company offices or other places of business within or without the State and may~~

1 ~~inspect any accounts, books, records, and papers of the company which may be necessary in the~~  
2 ~~discharge of Commission duties. Commission staff members will present Commission~~  
3 ~~identification cards as the written authority to inspect records. During such visits the company~~  
4 ~~shall provide the staff member(s) with adequate and comfortable working and filing space,~~  
5 ~~consistent with the prevailing conditions and climate, and comparable with the accommodations~~  
6 ~~provided the company's outside auditors.~~

7 Specific Authority 350.127(2) FS.

8 Law Implemented 364.18, 364.183, 364.386 FS.

9 History—Revised 12-1-68, Amended 5-4-81, Formerly 25-4.19, Repealed\_\_\_\_\_.

10 **25-4.021 System Maps and Records.**

11 ~~Each telephone company shall maintain suitable maps and/or records to show the location and~~  
12 ~~description of its toll and exchange plant facilities and the extent of area served by the company.~~

13 Specific Authority 350.127(2), 364.17 FS.

14 Law Implemented 364.17, 364.183 FS.

15 History—Revised 12-1-68, Formerly 25-4.21, Repealed\_\_\_\_\_ FS.

16 **25-4.022 Complaint - Trouble Reports, Etc.**

17 (1) Each telephone company shall maintain for at least six (6) months a record, in either  
18 electronic or paper format, of all signed written complaints made by its subscribers regarding  
19 service or errors in billing, ~~as well as a record of each case of trouble or service interruption that~~  
20 ~~is reported to repair service~~. This record shall include the name and/or address of the subscriber  
21 or complainant, the date (and for reported trouble, the time) received, the nature of the complaint  
22 or trouble reported, the result of any investigation, the disposition of the complaint or service  
23 problem, and the date (and for reported trouble, the time) of such disposition.

1 (2) Each signed letter of complaint shall be acknowledged in writing or by other means of  
2 contact by a representative of the company.

3 Specific Authority 350.127(2), 364.17 FS.

4 Law Implemented 364.051, 364.17, 364.183, 364.20 FS.

5 History—Revised 12-1-68, Formerly 25-4.22, Amended \_\_\_\_\_.

6 **25-4.024 Held Applications for Service.**

7 ~~(1) Each local exchange telecommunications company shall accept and shall maintain a~~  
8 ~~record of each application for access lines received during periods when a telecommunications~~  
9 ~~company is unable to supply initial or additional telephone service to applicants within 30 days~~  
10 ~~after the date applicant desires service. The telecommunications company shall keep a record, by~~  
11 ~~exchanges, showing the name and address of each applicant for service, the date of application,~~  
12 ~~date service desired, date service was promised, and the reason for the inability to provide the~~  
13 ~~new service or additional access lines to the applicant.~~

14 ~~(2) Upon request, each company shall prepare and furnish to the Commission a report, by~~  
15 ~~exchanges, of such held applications.~~

16 Specific Authority 350.127(2), 364.17 FS.

17 Law Implemented 364.025, 364.163, 364.17 FS.

18 History—Revised 12-1-68, Amended 3-31-76, Formerly 25-4.24, 3-10-96, Repealed \_\_\_\_\_.

19 **25-4.034 Tariffs.**

20 (1) Each telecommunications company shall maintain on file with the Commission tariffs  
21 which set forth all rates and charges for customer services, the classes and grades of service  
22 available to subscribers, the conditions and circumstances under which service will be furnished,  
23 and all general rules and regulations governing the relation of customer and utility. Tariff filings

1 shall be in compliance with the requirements of Chapter 25-9, F.A.C., of the Commission rules  
2 entitled "Construction and Filing of Tariffs by Public Utilities."

3 (2) Each company shall file, as an integral part of its tariff, maps defining the exchange  
4 service areas. These maps shall delineate the boundaries in sufficient detail that they may be  
5 located in the field and shall embrace all territory included in the certificate of convenience and  
6 necessity.

7 ~~(3) Each telecommunications company shall maintain on file in each of its business  
8 offices, available for public inspection upon request, a copy of the local exchange tariff for  
9 exchanges under the administration of that office, its general exchange tariff, and its schedule of  
10 intrastate toll rates. Each business office shall likewise make available a copy of Chapter 25-4,  
11 F.A.C., of the Florida Public Service Commission Rules and Regulations for public inspection  
12 upon request.~~

13 Specific Authority 350.127(2) FS.

14 Law Implemented 364.04, 364.163 FS.

15 History—New 3-31-76, Amended 11-29-82, Formerly 25-4.34, Amended 9-13-88, 4-16-90, 3-10-  
16 96,\_\_\_\_\_.

17 **25-4.039 Traffic.**

18 ~~(1) Suitable practices shall be adopted by each telecommunications company concerning  
19 the operating methods to be employed by operators with the objective of providing efficient  
20 service to the customers.~~

21 ~~(2) Telephone operators and service observing personnel shall be instructed to comply  
22 with the provisions of applicable statutes in maintaining the secrecy of communications.~~

23 Specific Authority 350.127(2) FS.

1 Law Implemented 364.01(4), 364.03 FS.

2 History—Revised 12-1-68, Amended 3-31-76, Formerly 25-4.39, Amended

3 3-10-96, Repealed.

4 **25-4.040 Telephone Directories; Directory Assistance.**

5 (1) Each local exchange telecommunications company shall normally publish updated  
6 telephone directories once every 12 months and shall publish updated directories at least once  
7 every 15 months. The directories shall normally alphabetically list the name, address, and  
8 telephone number of all subscribers located in the exchange(s) contained in the directory except  
9 the telephone numbers for public telephones or a name, address, number/address unlisted or  
10 unpublished at the subscriber's request. Also listed alphabetically shall be a listing designated  
11 "Poison Information Center" and the local telephone number, where the exchange served by the  
12 directory has local calling to a Poison Information Center. If no local telephone number exists,  
13 then the toll-free telephone number of a Poison Information Center shall be listed. A description  
14 of the local (toll free) calling scope shall be prominently displayed at the beginning of each  
15 alphabetical section in a directory. At no additional charge and upon the request of any  
16 residential subscriber, the exchange company shall list an additional first name or initial under  
17 the same address, telephone number and surname of the subscriber. The exchange company shall  
18 place the first names or initials in the order requested by the subscriber.

19 (2) Each subscriber served by a directory shall be furnished one copy of that directory for  
20 each access line. Subject to availability, additional directories shall be provided by the local  
21 exchange telecommunications company, which may charge a reasonable fee therefor. ~~Within 30~~  
22 ~~days after the effective date of this rule.~~ Each exchange company shall file with the Commission  
23 a tariff setting forth the fee, if any, and the conditions under which it will apply. Copies of each

1 directory shall be furnished to the Bureau of Service Quality. When expanded calling scopes are  
2 involved, as with Extended Area Service, each subscriber shall be provided with directory  
3 listings for all published telephone numbers within the local service area.

4 (3)(a) The name of the local exchange telecommunications company, the individual  
5 exchanges included in the directory and the month/year of issuance shall appear on the front  
6 cover of each directory.

7 (b) ~~Beginning with directories issued on or after January 1, 1995, t~~The following  
8 information shall be listed on the inside of the front cover of the directory:

9 1. "911" instructions for exchanges with "911" service. Such "911" instructions shall be  
10 at the top of the inside front cover and shall be outlined in order to be separate from other  
11 information on the inside front cover. "911" shall be the only listed emergency number; all other  
12 numbers on the inside front cover shall be listed as "nonemergency" or "other important  
13 numbers."

14 ~~2. For exchanges where "911" emergency service is not provided, emergency calling~~  
15 ~~instructions and numbers including those of the police, sheriff, fire departments and ambulance~~  
16 ~~services used by local government in case of emergency. Such emergency calling instructions~~  
17 ~~shall be listed at the top of the inside front cover and shall be outlined and separate from other~~  
18 ~~information. All other numbers on the inside front cover shall be listed as "nonemergency" or~~  
19 ~~"other important numbers."~~

20 ~~23.~~ The information required by Section 395.1027, F.S.

21 (c) The following notice shall be conspicuously listed on the inside front cover or first  
22 page of the directory:

23 FLORIDA PUBLIC SERVICE COMMISSION INQUIRIES CUSTOMERS OF UTILITIES



1 AND COMPANIES REGULATED BY THE COMMISSION WHO HAVE FIRST  
2 CONTACTED SUCH A FIRM CONCERNING A PROBLEM, AND ARE NOT SATISFIED  
3 BY THE CORRECTIVE ACTION TAKEN MAY CONTACT:  
4 COMISION DE SERVICIO PÚBLICO DEL ESTADO DE LA FLORIDA: TODOS LOS  
5 CLIENTES DE UTILIDADES Y EMPRESAS REGULADAS EN LA FLORIDA QUE  
6 HAYAN INICIADO CONTACTO CON DICHA ENTIDAD Y NO ESTÉN SATISFECHOS  
7 CON LA RESOLUCIÓN DE SU QUEJA Y/O INVESTIGACIÓN PUEDEN DIRIGIRSE A:

8 **THE FLORIDA PUBLIC SERVICE COMMISSION**

9 **Division of Regulatory Compliance and Consumer Assistance**

10 **2540 Shumard Oak Boulevard**

11 **Tallahassee, Florida 32399-8153**

12 **Phone Toll Free (TDD & Voice) 1 (800) 342-3552**

13 **Facsimile Toll Free 1 (800) 511-0809**

14 **Internet E-mail address for filing complaints:**

15 **CONTACT@PSC.STATE.FL.US**

16 **Internet Address for retrieving information:**

17 **<http://www.psc.state.fl.us/>**

18 (4) The following information shall appear in the front pages of the directory, preceding  
19 subscriber listings, along with an index where there are four or more pages of such information:

20 (a) Directions for the use of local exchange and long distance telephone services and calls  
21 to repair and directory assistance services.

22 (b) Application and amount of directory assistance charges contained in company tariffs.

23 (c) Application and amount of charges for line busy verification, emergency interrupt and

1 maintenance/repair services.

2 (d) The location of telephone company public business offices located in the area(s)  
3 contained in the directory.

4 (e) Identification of where customer payment locations can be found and an explanation  
5 of discontinuance of service procedures for local service.

6 (f) Policy on customer owned equipment and inside wiring shall include, but not be  
7 limited to the following information, separately stated:

8 1. A layman's description of inside wiring.

9 2. A layman's description of demarcation point.

10 3. A layman's description of the customer's responsibility for all wiring on the  
11 customer's side of the demarcation point.

12 4. A generic description of the various types of vendors which sell repair equipment.

13 5. A generic list of the types of service vendors providing maintenance or repair of inside  
14 wire, or customer premises equipment.

15 6. Instructions on how to determine whether the customer or the telephone company is  
16 responsible for needed repairs.

17 7. Instructions for determining when a phone jack is defective.

18 8. Instructions for determining when a telephone is defective.

19 (g) Policy on the recording of telephone conversations.

20 (h) Policy on harassing calls and sales solicitations generated by illegal automatic dialing  
21 equipment.

22 (i) Policy on various violations of law arising from the illegal use of telephone equipment  
23 and service.

1 (j) A conspicuous notice of the availability of the “No Sales Solicitation” list offered  
2 through the Florida Department of Agriculture and Consumer Services, Division of Consumer  
3 Services, and the 800 number to contact for further information.

4 (5) Directory assistance operators shall maintain records of all telephone numbers (except  
5 for non-published telephone numbers) in the area for which they have the responsibility of  
6 furnishing service. Directory assistance records must also contain listings for “Poison  
7 Information Center” and, the local telephone number, where the area served by the directory  
8 assistance operator has local calling to a Poison Information Center. If no local telephone  
9 number exists, then the toll-free telephone number of a Poison Information Center shall be listed.  
10 All new or changed listings shall be provided to directory assistance operators within 48 hours  
11 after connection of service, excluding Saturdays, Sundays and holidays.

12 (6) In the event of an error in the listed number of any subscriber, each local exchange  
13 telecommunications company shall intercept all calls to the listed number for the period of time  
14 required to comply with Rule 25-4.074, F.A.C., provided the listed number is not in service. In  
15 the event of an error or omission in the name listing of a customer, the customer’s correct name  
16 and telephone number shall be listed in the directory assistance and intercept records and the  
17 correct number furnished the calling party upon request or interception.

18 (7) When a subscriber will establish a residence or business shortly after the close of  
19 subscriber listing records but preceding publication, the local exchange telecommunications  
20 company shall, upon request, establish and list service at the requested new address and  
21 immediately place the service on suspension. Service connection and other appropriate local  
22 service charges shall be due and payable, independent of whether service is later restored.

23 (8) When scheduled additions or changes in plant, records or operations will require a

1 large group of number changes, the earliest possible notice shall be given to affected customers,  
2 regardless of the time of the change relative to the directory issuance cycle.

3 (9) The local exchange telecommunications company shall not change a subscriber's  
4 telephone number without good cause and at least 30 days prior notice to the affected subscriber.

5 Specific Authority 350.127(2) FS.

6 Law Implemented 364.01(4), 364.02(2), 364.025, 364.0251, 364.03, 364.385, 365.171, 395.1027  
7 FS.

8 History– New 12-1-68, Amended 3-31-76, 1-4-78, 12-10-84, Formerly 25-4.40, Amended 11-  
9 28-89, 3-31-91, 2-11-92, 12-16-94,\_\_\_\_\_.

10 **25-4.046 Incremental Cost Data Submitted by Local Exchange Companies.**

11 ~~(1) Incremental cost yields the appropriate price floor for pricing of individual services.~~  
12 ~~This rule sets forth requirements for incremental cost data submitted by local exchange~~  
13 ~~companies (LECs) to the Commission.~~

14 ~~(2) For each service for which an incremental cost study has been performed by or for a~~  
15 ~~LEC and the LEC submits incremental cost data based on the study, the LEC shall provide:~~

16 ~~(a) An executive summary that includes, at a minimum:~~

17 ~~1. An overview of the incremental cost study(ies) performed, a description of all cost~~  
18 ~~models used, and a summary of the cost study results;~~

19 ~~2. A discussion which demonstrates that the cost study methodology employed comports~~  
20 ~~with accepted economic theory regarding incremental cost;~~

21 ~~3. A discussion demonstrating the reasonableness of the assumptions made regarding the~~  
22 ~~conditions projected to be in effect during the study's planning horizon; and~~

23 ~~4. A discussion demonstrating the manner in which the service will be provisioned during~~

1 ~~the planning horizon.~~

2 ~~(b) A list of all factors and their values used in the study including, but not limited to,~~  
3 ~~utilization factors, annual charge factors, expense factors and supporting structures factors. At~~  
4 ~~Commission staff's request, supporting work papers showing the derivation of all factors used in~~  
5 ~~the study shall be provided on 5 days' notice.~~

6 ~~(c) Where identifiable, the amount of any group specific costs shall be identified but not~~  
7 ~~added into the results for an individual service. Group specific costs are those costs related to the~~  
8 ~~provision of a group of services but not causally attributable to any specific service;~~

9 ~~(d) The amount and types of costs that are causally apportioned (as opposed to directly~~  
10 ~~assigned) to individual services shall be identified and the LEC shall describe and provide~~  
11 ~~support for the method of apportionment used; and~~

12 ~~(e) For new services which may have a significant revenue impact or where a rate~~  
13 ~~restructure of an existing service is being proposed that may have either significant customer or~~  
14 ~~revenue impact, a narrative or flowchart indicating the sequence of analyses performed leading~~  
15 ~~to the cost results shall be provided. At Commission staff's request, all relevant work papers~~  
16 ~~supporting the cost study shall be provided on 5 days' notice.~~

17 ~~(3) For each service for which a LEC submits incremental cost data not based on an~~  
18 ~~incremental cost study performed by or for that LEC, the LEC shall provide a discussion~~  
19 ~~demonstrating the reasonableness of using the surrogate cost data as the price floor for its~~  
20 ~~service.~~

21 Specific Authority 350.127(2) FS.

22 Law Implemented 364.3381 FS.

23 History—New 5-24-95, Repealed \_\_\_\_\_.

1 **25-4.067 Extension of Facilities - Contributions in Aid of Construction.**

2 (1) Each telecommunications company shall make reasonable extensions to its lines and  
3 service and shall include in its tariffs filed with the Commission a statement of its standard  
4 extension policy setting forth the terms and conditions under which its facilities will be extended  
5 to serve applicants for service within its certificated area, to the extent such tariffs are required to  
6 be filed with the Commission.

7 (2) This line extension policy shall have uniform application and shall provide the  
8 proportion of construction expense to be borne by the utility in serving the immediate applicant  
9 shall be not less than five times the annual ~~exchange~~ revenue that would be generated by  
10 providing basic local telecommunications service of the applicants.

11 ~~(3) If the cost which the servicing utility must bear under subsection (2) above (or has~~  
12 ~~provided in its tariff) equals or exceeds the estimated cost of the proposed extension, the utility~~  
13 ~~shall construct it without cost to the subscribers initially served. If the estimated cost of the~~  
14 ~~proposed extension exceeds the amount which the utility is required to bear, the excess cost may~~  
15 ~~be distributed equitably among all subscribers initially served by the extension. However, no~~  
16 ~~portion of construction shall be assessed to the applicant for the provision of new plant where the~~  
17 ~~new plant parallels and reinforces existing plant or is constructed on or along any public road or~~  
18 ~~highway and is to be used to serve subscribers in general except in those instances where the~~  
19 ~~applicant requests that facilities be constructed by other than the normal serving method. The~~  
20 ~~company's tariffs shall provide that such excess may be paid in cash in a lump sum or as a~~  
21 ~~surcharge over a period of five years or such lesser period as the subscriber and company may~~  
22 ~~mutually agree upon.~~

23 (4) Line extension tariffs shall also contain provisions designed to require that all

1 ~~subscribers served by a line extension during the first five years after it is constructed shall pay~~  
2 ~~their pro rata share of the costs assignable to them.~~

3 (35) No company shall be required to extend facilities for new service unless the right-of-  
4 way necessary for the construction of line extension is provided by the applicant or group of  
5 applicants. Where pole attachments may be made in lieu of new construction costs, the company  
6 may charge the subscriber the expense or rental charges for such attachments, provided that the  
7 applicant may elect to pay excess construction costs as though the service were provided without  
8 the use of attachments.

9 (46) Except as provided in filed tariffs, the ownership of all facilities constructed as  
10 herein provided shall be vested in the telecommunications company and no portion of the  
11 expense assessed against the applicant shall be refundable by the company.

12 (57) Nothing in this rule shall be construed as prohibiting any utility from establishing an  
13 extension policy more favorable to customers as long as no undue discrimination is practiced  
14 between customers under the same or substantially the same circumstances and conditions.

15 (68) In the event that a company and applicant are unable to agree in regard to an  
16 extension, either party may appeal to the Commission for a review.

17 Specific Authority 350.127(2), 364.10 FS.

18 Law Implemented 364.025, 364.03, 364.07, 364.08, 364.15 FS.

19 History—Revised 12-1-68, Amended 3-31-76, Formerly 25-4.67, Amended 3-10-96,\_\_\_\_\_.

20 **25-4.077 Metering and Recording Equipment.**

21 ~~(1) Where mechanical or electronic means are used for registering or recording~~  
22 ~~information which will affect a subscriber's bill, such equipment shall be in good mechanical~~  
23 ~~and electrical condition, shall be accurately read, and shall be inspected daily to insure that it is~~

1 ~~functioning properly. Where message rate service (MRS) or any type of optional calling that~~  
2 ~~involves customer billing other than by a flatrate method is used, the metering or measuring~~  
3 ~~device used to record call data shall be accurate 95 percent of the time.~~

4 ~~(2) Every telephone meter and recording device shall be tested prior to its installation,~~  
5 ~~either by the manufacturer, the company, or an approved organization equipped for testing.~~

6 ~~(3) Metering and timing equipment shall be maintained so that the accuracy of company~~  
7 ~~billing operations enjoys a high confidence level from their customers. After allowance for a~~  
8 ~~one second variation, timing accuracy shall be not less than 97 percent.~~

9 Specific Authority 350.127(2) FS.

10 Law Implemented 364.01(4), 364.03, 364.051, 364.19, Repealed \_\_\_\_\_ FS.

11 History—New 12-1-68, Amended 3-31-76, Formerly 25-4.77, Amended 6-24-90, 3-10-96.

12 **25-4.079 Hearing/Speech Impaired Persons.**

13 (1) The telephone directory published by each local exchange telephone company (LEC)  
14 shall:

15 (a) List, with other emergency numbers at the beginning of the directory,  
16 Telecommunications Devices for the Deaf (TDD) numbers for emergency services, which shall  
17 be denoted by the universal symbol for the hearing/speech impaired, i.e., a picture of an ear with  
18 a slash across it;

19 (b) List the company's business office TDD number, which shall also be denoted by said  
20 universal symbol, for communicating with hearing/speech impaired persons;

21 (c) At the option of and without charge to TDD users, have a special notation by each  
22 TDD user's number indicating TDD or TDD plus voice capability;

23 (d) At the option of and without charge to hearing/speech impaired customers, not list the



1 number of any hearing/speech impaired customer who requests that it not be published.

2 (2) Each LEC shall provide directory and operator assistance to TDD users. The numbers  
3 for these services shall be listed in the front of the directory and denoted by the universal symbol.

4 (3) Each LEC shall compile informational literature about the services it makes available  
5 to hearing/speech impaired persons and shall maintain this literature for public inspection in the  
6 company's business office. Each company shall send this literature at no charge to anyone  
7 requesting it and shall include this literature or a summary of it, once a year, in the company's  
8 informational mailings.

9 (4) Intrastate toll message rates for TDD users shall be evening rates for daytime calls  
10 and night rates for evening and night calls. These discounts shall be offered by all LECs.

11 (5) Each LEC shall inform persons inquiring about specialized customer premises  
12 equipment for hearing/speech impaired persons of Florida Telecommunications Relay, Inc.,  
13 which provides such equipment at no cost., pursuant to tariff, provide specialized customer  
14 premises equipment (CPE), for lease or sale, to hearing/speech impaired persons. This  
15 specialized CPE shall be priced to cover fully allocated costs without inclusion of a rate of return  
16 on investment component. Each LEC shall provide at least one type of each of the following  
17 categories of specialized CPE:

18 (a) Audible ring signalers;

19 (b) Visual ring signalers;

20 (c) TDDs;

21 (d) Volume control handsets.

22 Specific Authority 350.127(2) FS.

23 Law Implemented 364.01(4), 364.02, 364.025, 364.03, 364.04 FS.

1 History–New 4-5-88, Amended 6-3-90, 5-8-05,\_\_\_\_\_.

2 **25-4.116 Telephone Number Assignment Procedure.**

3 ~~Each company shall maintain written standard operating procedures for the assignment of~~  
4 ~~telephone numbers. The standard operating procedure shall be applied in a non-discriminatory~~  
5 ~~manner to requests for assignment of telephone numbers.~~

6 Specific Authority 350.127(2) FS.

7 Law Implemented 364.03, 364.14, 364.16, FS.

8 History–New 2-9-87, Repealed\_\_\_\_\_.

9 **25-4.215 Limited Scope Proceedings.**

10 A rate-of-return regulated small local exchange company may seek to change its existing overall  
11 rate relationships without affecting its total revenues by filing a petition for a limited scope  
12 proceeding pursuant to Sections 364.05 and 364.058, F.S., and submitting Schedule E-2 (the  
13 priceout schedule) in Form PSC/ECR 20-T (3/96), entitled “Minimum Filing Requirements,”  
14 which is incorporated herein by reference in Rule 25-4.141, F.A.C., and may be obtained from  
15 the Commission’s Division of Economic Regulation. The required MFR Schedule E-2 must  
16 show that the revenues generated under the proposed rate relationships shall not exceed the  
17 revenues generated under the small local exchange company’s existing rate relationships, based  
18 on data for units and revenues for the last full calendar year available.

19 Specific Authority 350.127(2) FS.

20 Law Implemented 364.05, 364.052, 364.058 FS.

21 History–New 3-10-96.

22 **25-9.001 Application and Scope.**

23 (1) The provisions of Parts I, II and III of these rules shall ~~only~~ apply to public electric

1 and gas utilities, water systems, and wastewater systems. utilities as defined in subsection 25-  
2 9.002(2), F.A.C., and Only Parts I and II of these rules shall apply to local exchange  
3 telecommunications companies. Parts IV and V of these rules shall only apply to municipalities  
4 and cooperatives as defined in subsection 25-9.051(2), F.A.C. ~~Except as provided by Parts X~~  
5 ~~through XIV, Chapter 25-24, F.A.C.,~~ The provisions of this Chapter shall not apply to  
6 Interexchange Companies, Pay Telephone Service Companies, Shared Tenant Service  
7 Companies, Operator Service Provider Companies, or Alternative Access Vendor Service  
8 Providers.

9 (2) The following shall prescribe the procedures to be used by public utilities in filing:

10 (a) Rules and Regulations.

11 (b) Rate Schedules.

12 (c) Standard Forms and Riders.

13 (d) Contracts and Agreements.

14 (e) Tariffs.

15 (3) No rules and regulations, or schedules of rates and charges, or modifications or  
16 revisions of the same, shall be effective until filed with and approved by the Commission as  
17 provided by law.

18 (4) Upon acceptable showing by any utility, the Commission may waive or modify, as to  
19 that utility, the provisions of any rule herein contained, except when such provisions are fixed by  
20 statute.

21 (5) No deviation from these rules shall be permitted unless authorized in writing by the  
22 Commission.

23 Specific Authority 350.127(2), 366.05(1), 367.121 FS.

1 Law Implemented 364.03, 364.04, 364.05, 364.08, 364.337, 366.04(2)(b), 366.05(1), 367.041(2),  
2 367.091, 367.101 FS.

3 History—Repromulgated 1-8-75, 10-22-75, Amended 8-9-79, Formerly 25-9.01, Amended 2-23-  
4 86, 1-8-95,\_\_\_\_\_.

5 **25-9.034 Contracts and Agreements.**

6 (1) Wherever a special contract is entered into by a utility for the sale of its product or  
7 services in a manner or subject to the provisions not specifically covered by its filed regulations  
8 and standard approved rate schedules, such contract must be approved by the Commission prior  
9 to its execution. Accompanying each contract shall be completed and detailed justification for  
10 the deviation from the utility’s filed regulations and standard approved rate schedules. If such  
11 special contracts are approved by the Commission, a conformed copy of the contract shall be  
12 placed on file with the Commission before its effective date.

13 The provisions of this rule shall not apply to contracts or agreements entered into by  
14 telecommunications companies or agreements governing the sale or interchange of commodity  
15 or product by or between a public utility and a municipality or R. E. A. cooperative, but shall  
16 otherwise have application.

17 (2) Each utility shall make provision to file with the Commission a conformed copy of all  
18 such special contracts which are currently in effect and which have not been previously filed.

19 (3) If the number and size of such special contracts warrant, they may be placed in a  
20 separate binder.

21 Specific Authority 366.05(1), 367.121 FS.

22 Law Implemented 366.05(1), 367.041(2) FS.

23 History—Amended 6-27-73, Repromulgated 1-8-75, Formerly 25-9.34, Amended\_\_\_\_\_.

1 **25-9.044 Change of Ownership.**

2 (1) In case of change of ownership or control of a utility which places the operation under  
3 a different or new utility, or when its name is changed, the company which will thereafter  
4 operate the utility business must adopt and use the rates, classifications and regulations of the  
5 former operating company (unless authorized to change by the Commission), and shall, within  
6 ten (10) days, issue and file a notice adopting, ratifying, and making its own all rates, rules,  
7 classifications and regulations of the former operating utility on file with the Commission and  
8 effective at the time of such change of ownership or control.

9 (2) New utility. Within thirty (30) days after the filing of such adoption notice by a public  
10 utility which then had no tariff on file with the Commission, said utility shall issue and file in its  
11 own name the tariff of the predecessor utility then in effect and adopted by it, or make  
12 application to the Commission for such other tariff as it may propose to put into effect in lieu  
13 thereof.

14 (3) Utility already in business. Within thirty (30) days after the filing of such adoption  
15 notice by a public utility which then had a tariff on file with the Commission, said utility shall  
16 issue and file in its own name rate schedules and regulations on additional or revised sheets of its  
17 existing tariff, or by a complete reissue of its existing tariff, which shall set out the rates and  
18 regulations of the predecessor utility then in effect and adopted by it, or make application to the  
19 Commission for such other rates and regulations as it may propose to put into effect in lieu  
20 thereof.

21 (4) Regarding public utilities that are telecommunications companies, this rule shall apply  
22 only to rate-of-return regulated local exchange telecommunications companies.

23 Specific Authority 350.127(2), 364.335, 367.121 FS.

1 Law Implemented 364.04 FS.

2 History—Repromulgated 1-8-75, Formerly 25-9.44, Amended.

3 **25-14.001 In General.**

4 The Commission is responsible for the setting of reasonable rates and charges of numerous  
5 utility companies. In determining reasonable charges to be paid by the customers of these  
6 companies, the Commission promulgates policy determinations affecting all companies subject  
7 to its jurisdiction. This chapter has been established to identify policy determinations affecting  
8 the rates, charges and tariffs of all companies subject to our rate-setting jurisdiction. ~~Except as~~  
9 ~~provided by Parts X through XIV, Chapter 25-24, F.A.C.,~~ the provisions of this chapter shall  
10 not apply to Interexchange Companies, Pay Telephone Service Companies, Shared Tenant  
11 Service Companies, Operator Service Provider Companies, or Alternative Access Vendor  
12 Service Providers, Competitive Local Exchange Companies or Price Regulated Local Exchange  
13 Companies.

14 Specific Authority 350.127(2), 366.05(1), 367.121 FS.

15 Law Implemented 364.03, 364.05, 364.337, 366.04, 366.041, 366.05, 367.121 FS.

16 History— New 7-25-73, Formerly 25-14.01, Amended 2-23-87, 1-8-95.

17