

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-24.516: Pay Telephone Rate Caps

25-24.630: Rate and Billing Requirements

PURPOSE AND EFFECT: To amend the rules to implement changes made by the Legislature to Section 364.3376, Florida Statutes. Docket No. 060476-TL.

SUMMARY: The amendments remove the price caps for operator services and replace references to "tariffs" with "schedules."

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The amendments would not impose costs or confer benefits on the Commission. Companies providing operator services would have more flexibility to price operator services, but customers could face higher costs for those services.

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

SPECIFIC AUTHORITY: 350.127(2) FS

LAW IMPLEMENTED: 364.01, 364.3376, 364.03, 364.3375(4), (5) FS

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard C. Bellak, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 (850) 413-6092, rbellak@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-24.516 Pay Telephone Operator Services Rate Caps.

~~(1) Rates charged any end user by a pay telephone provider, providing operator service within the pay telephone premises' equipment, shall not exceed the following:~~

~~(a) Local coin calls—the rate posted at the pay telephone station.~~

~~(b) Extended area service (EAS) coin calls—a rate equivalent to the local coin call rate.~~

~~(c) Extended calling scope (ECS) calls—the rate equivalent to the local coin rate.~~

~~(d) 0+ toll non-person to person—a maximum rate of \$0.30 per minute, plus a \$1.75 charge.~~

~~(e) 0+ toll person to person—a maximum rate of \$.30 per minute, plus a \$3.25 charge.~~

~~(f) 0+ non-person to person local—a rate equivalent to the local coin rate, plus a \$1.75 charge.~~

~~(g) 0+ person to person local—a rate equivalent to the local coin rate, plus a \$3.25 charge.~~

(2) A pay telephone provider shall not obtain services from an interexchange carrier or an operator service provider unless such carrier or provider has registered with or has obtained a certificate of public convenience and necessity from the Commission.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.03, 364.3375(4), (5), 364.3376 FS. History—New 9-5-95, Amended 2-1-99, 9-7-04.

25-24.630 Rate and Billing Requirements.

(1) Services charged and billed to any end user by an operator services provider for an intrastate 0+ or 0- call made from a pay telephone or in a call aggregator context shall not exceed the rates in the company's published schedules. ~~a rate of \$.30 per minute plus the applicable charges for the following types of telephone calls:~~

~~(a) A person to person call—a charge of \$3.25;~~

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~~(b) A call that is not a person-to-person call—a charge of \$1.75.~~

(2) No change.

(3) An operator services provider shall require that its certificated or registered name appear on any telecommunications company's bill for regulated charges.

(4) – (5) No change.

(6) An operator services provider shall charge only for conversation time as rounded according to company published schedules tariffs.

(7) An operator services provider shall not:

(a) – (b) No change.

(c) Bill for calls in increments greater than one minute except for pay telephone coin calls that may be in increments no greater than three minutes.

~~(d) Bill or collect a surcharge levied by any entity, either directly or through its billing agent, except Commission-approved charges for pay telephone providers.~~

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.01, 364.3376 FS. History—New 9-6-93, Amended 2-1-9, 9-7-04.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ray Kennedy, Division of Regulatory Compliance, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6584

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 06, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 2006, Volume 32/32 and December 12, 2008, Volume 34/50

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Notices Submitted to ACW or Confirmed by ACW

Notices Submitted to ACW

ID	Rule No/ Organization	Rule Title	Section	Issue	Date
7749735	25-22.061	Stay Pending Judicial Review	Rule	10/23/2009 Vol. 35/42	10/14/2009
7815113	10/13/2009	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	10/23/2009 Vol. 35/42	10/14/2009
7814725	10/13/2009	FPSC	Meeting	10/23/2009 Vol. 35/42	10/14/2009
7814434	10/13/2009	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	10/23/2009 Vol. 35/42	10/14/2009
7814240	10/13/2009	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	10/23/2009 Vol. 35/42	10/14/2009
7793579	25-22.103,...	Orders Indexed, Designation of Official Reporter, System for Indexing Orders, Plan for Making Orders and Index Available to the Public	Rule	10/23/2009 Vol. 35/42	10/14/2009
7796489	10/9/2009	FPSC	Meeting	10/23/2009 Vol. 35/42	10/14/2009
7778059	25-12.004,...	Definitions, Codes and Standards Adopted, New, Reconstructed or Converted Facilities, Requirements for Distribution System Valves, Welder Qualification, Leak Surveys, Procedures and Classification, Receiving of Gas Reports, General, Notice of Accidents and Outages, Written Annual Reports Required	Proposed	10/23/2009 Vol. 35/42	10/14/2009
✓7777380	25-24.516,...	Pay Telephone Rate Caps, Rate and Billing Requirements	Proposed	10/23/2009 Vol. 35/42	10/14/2009
7756816	10/5/2009	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	10/16/2009 Vol. 35/41	10/7/2009
7756719	10/5/2009	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	10/16/2009 Vol. 35/41	10/7/2009
7743721	7/15/2008	Public Service Commission	Variances	10/16/2009 Vol. 35/41	10/7/2009

Notices Confirmed by ACW

None.

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