

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: September 23, 2011
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Cindy B. Miller, Senior Attorney, Office of the General Counsel *EM*
RE: Docket 1100209-TP, Repeal of Rules resulting from changes to Chapter 364, Florida Statutes

RECEIVED - FPSC
11 SEP 23 PM 4:00
COMMISSION CLERK

Please file the attached rule certification packet for Repeal of Rules 25-4.0185, 25-4.022, 25-4.023, 25-4.0345, 25-4.036, 25-4.038, 25-4.040, 25-4.041, 25-4.066, 25-4.070, 25-4.071, 25-4.072, 25-4.073, 25-4.074, 25-4.078, 25-4.079, 25-4.081, 25-4.084, 25-4.085, 25-4.088, 25-4.089, 25-4.090, 25-4.091, 25-4.092, 25-4.093, 25-4.094, 25-4.095, 25-4.096, 25-4.097, 25-4.107, 25-4.109, 25-4.110, 25-4.111, 25-4.114, 25-4.115, 25-4.117, 25-4.202, and 25-4.210, F.A.C., in the docket file listed above.

Thank you.

CBM:tf
Attachment

DOCUMENT NUMBER-DATE

06917 SEP 23 =

FPSC-COMMISSION CLERK

COMMISSIONERS:
ART GRAHAM, CHAIRMAN
LISA POLAK EDGAR
RONALD A. BRISÉ
EDUARDO E. BALBIS
JULIE I. BROWN

STATE OF FLORIDA



GENERAL COUNSEL
S. CURTIS KISER
(850) 413-6199

Public Service Commission

September 23, 2011

VIA HAND DELIVERY

Ms. Liz Cloud
Florida Department of State
Florida Administrative Code, Weekly and Laws
R. A. Gray Bldg., Suite 101
Tallahassee, FL 32399-0250

Re: Rule Certification Packet for Repeal of Rules 25-4.0185, 25-4.022, 25-4.023, 25-4.0345, 25-4.036, 25-4.038, 25-4.040, 25-4.041, 25-4.066, 25-4.070, 25-4.071, 25-4.072, 25-4.073, 25-4.074, 25-4.078, 25-4.079, 25-4.081, 25-4.084, 25-4.085, 25-4.088, 25-4.089, 25-4.090, 25-4.091, 25-4.092, 25-4.093, 25-4.094, 25-4.095, 25-4.096, 25-4.097, 25-4.107, 25-4.109, 25-4.110, 25-4.111, 25-4.114, 25-4.115, 25-4.117, 25-4.202, and 25-4.210, F.A.C., resulting from changes to Chapter 364, Florida Statutes

Dear Ms. Cloud:

Enclosed for filing is a complete rule certification packet for Repeal of Rules 25-4.0185, 25-4.022, 25-4.023, 25-4.0345, 25-4.036, 25-4.038, 25-4.040, 25-4.041, 25-4.066, 25-4.070, 25-4.071, 25-4.072, 25-4.073, 25-4.074, 25-4.078, 25-4.079, 25-4.081, 25-4.084, 25-4.085, 25-4.088, 25-4.089, 25-4.090, 25-4.091, 25-4.092, 25-4.093, 25-4.094, 25-4.095, 25-4.096, 25-4.097, 25-4.107, 25-4.109, 25-4.110, 25-4.111, 25-4.114, 25-4.115, 25-4.117, 25-4.202, and 25-4.210, F.A.C., consisting of:

- (1) One compact disc containing the coded text of the rule;
- (2) No materials are incorporated by reference into these rules.
- (3) One original and two copies of the signed rule certification form;
- (4) One original and two copies of the coded text of the rule, including the legal citations and history notes;
- (5) One original and two copies of a summary of the rule;
- (6) One original and two copies of a written statement of the facts and circumstances justifying the rule; and

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Florida Department of State
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(7) One original and two copies of a summary of the hearing on the rule.

Please let me know if you have any questions. The contact name and information for this rule are Cindy B. Miller (413-6082, cmiller@psc.state.fl.us), Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

Sincerely,

A handwritten signature in cursive script that reads "Cindy B. Miller".

Cindy B. Miller
Senior Attorney

CBM:tf
Enclosures

CERTIFICATION OF FLORIDA PUBLIC SERVICE COMMISSION
ADMINISTRATIVE RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., and all rulemaking requirements of the Department of State have been complied with; and

(2) That there is no administrative determination under Section 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of Section 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by Section 120.54(3)(a), F.S.; and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed more than 90 days after the notice, but not more than 60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

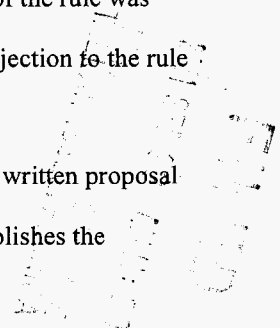
(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

(g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

(h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

(i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the Small Business Regulatory Advisory Committee.



Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Nos.

25-4.0185	25-4.088
25-4.022	25-4.089
25-4.023	25-4.090
25-4.0345	25-4.091
25-4.036	25-4.092
25-4.038	25-4.093
25-4.040	25-4.094
25-4.041	25-4.095
25-4.066	25-4.096
25-4.070	25-4.097
25-4.071	25-4.107
25-4.072	25-4.109
25-4.073	25-4.110
25-4.074	25-4.111
25-4.078	25-4.114
25-4.079	25-4.115
25-4.081	25-4.117
25-4.084	25-4.202
25-4.085	25-4.210

Under the provision of Section 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

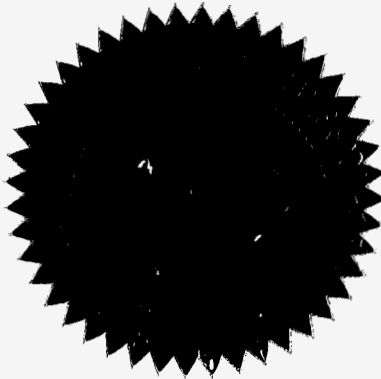
Effective: _____
(month) (day) (year)

Hong Wang
HONG WANG

Chief Deputy Commission Clerk

Title 33

Number of Pages Certified



1 CHAPTER 25-4

2 25-4.0185 Periodic Reports.

3 ~~(1) Each local exchange telecommunications company shall file with the Commission's Division of Service,~~
4 ~~Safety and Consumer Assistance the information required by Commission Form PSC/SSC 28 (10/09), which is~~
5 ~~incorporated into this rule by reference. Form PSC/SSC 28, entitled "Engineering Data Requirements," may be~~
6 ~~obtained from the Commission's Division of Service, Safety and Consumer Assistance.~~

7 ~~(2) The information required by schedules 2, 3, 8, 11, and 15 of Form PSC/SSC 28 shall be filed on a quarterly~~
8 ~~basis by the large LECs and semiannually by the small LECs on or before the end of the month following the~~
9 ~~reporting period.~~

10 ~~(3) Schedules 2, 3, 11, and 15 of Form PSC/SSC 28 shall apply to basic local telecommunications service only.~~

11 ~~(4) Each local exchange telecommunications company shall begin recording basic local telecommunications~~
12 ~~service data for reporting on schedules 2, 3, 11 and 15 no later than January 1, 2010.~~

13 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.183(1) FS. History—New 12-14-86,
14 Amended 7-20-89, 12-27-94, 3-10-96, 4-3-05, 10-21-09, Repealed xx-xx-xx.

15
16 25-4.022 Complaints.

17 ~~Each telephone company shall maintain for at least six (6) months a record of all signed written complaints made~~
18 ~~by its subscribers regarding service or errors in billing. This record shall include the name and/or address of the~~
19 ~~subscriber or complainant, the date received, the nature of the complaint, the result of any investigation, the~~
20 ~~disposition of the complaint or service problem, and the date of such disposition.~~

21 Rulemaking Authority 350.127(2), 364.17 FS. Law Implemented 364.051, 364.17, 364.183 FS. History—Revised
22 12-1-68, Formerly 25-4.22, Amended 1-25-09, Repealed xx-xx-xx.

23
24 25-4.023 Report of Interruptions.

25 ~~The Commission shall be informed of any interruptions to service which are the result of a tropical system named~~

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1 by the National Hurricane Center. On a daily basis, the company shall provide the location, the number of
2 subscribers affected, and the estimated duration of the outage.

3 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.17, 364.183 FS. History—Revised 12-1-68,
4 Amended 3-31-76, Formerly 25-4.23, Amended 10-1-96, 4-3-05, 3-26-09, Repealed xx-xx-xx.

5

6 25-4.0345 Customer Premises Equipment and Inside Wire.

7 (1) Definitions: For purposes of this chapter, the definition to the following terms apply:

8 (a) ~~“Customer Premises Equipment (CPE).” Includes terminal equipment intended for use on the customer’s~~
9 ~~premises such as pay telephones, telephone sets, teletypewriters, data terminal equipment, mobile telephone~~
10 ~~terminal equipment, private branch exchange equipment, key system equipment, dialers and other supplemental~~
11 ~~equipment. CPE does not include “911” public safety answering point equipment (ALI, ANI, ACD equipment) or~~
12 ~~telecommunications devices required by hearing or speech impaired subscribers.~~

13 (b) ~~“Demarcation Point.” The point of physical interconnection (connecting block, terminal strip, jack, protector,~~
14 ~~optical network interface, or remote isolation device) between the telephone network and the customer’s premises~~
15 ~~wiring. Unless otherwise ordered by the Commission for good cause shown, the location of this point is:~~

16 1. ~~Single Line/Single Customer Building—Either at the point of physical entry to the building or a junction point~~
17 ~~as close as practicable to the point of entry.~~

18 2. ~~Single Line/Multi Customer Building—Within the customer’s premises at a point easily accessed by the~~
19 ~~customer.~~

20 3. ~~Multi Line Systems/Single or Multi Customer Building—At a point within the same room and within 25 feet~~
21 ~~of the FCC registered terminal equipment or cross connect field.~~

22 4. ~~Temporary Accommodations Subscriber Premises with Inadequate Grounding (e.g., some mobile homes,~~
23 ~~trailers, houseboats, construction modules)—On a permanent stake, pole, or structure with a suitable safety~~
24 ~~ground.~~

25 (c) ~~“Complex Equipment Wire” The premises wiring owned by the local exchange company which may be used~~

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1 ~~as station wiring and to connect off-premises extensions and is beyond the normal demarcation points.~~

2 ~~(d) "Inside Wire" All wire or cable other than complex equipment wire located on the customer's side of the~~

3 ~~demarcation point.~~

4 ~~(e) "Customer Premises" The discrete real property owned, leased, or controlled by a customer for the customer's~~

5 ~~own business or residential purposes.~~

6 ~~(2) The provision and maintenance of CPE and inside wire, but not complex equipment wire, is deregulated for~~

7 ~~intrastate purposes.~~

8 ~~(3) Network facilities up to and including the demarcation point are part of the telephone network, provided and~~

9 ~~maintained by the telecommunications company under tariff.~~

10 ~~(4) CPE Network Responsibility. No CPE may harm the network by introducing signals that interfere or affect~~

11 ~~other subscribers or network operations.~~

12 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.03 FS. History—New 12-13-82,

13 Amended 9-30-85, Formerly 25-4.345, Amended 4-16-90, 3-10-96, 2-1-99, Repealed xx-xx-xx.

14

15 25-4.036 Design and Construction of Plant.

16 ~~(1) The plant and facilities of the utility shall be designed, constructed, installed, maintained and operated in~~

17 ~~accordance with provisions of the National Electrical Safety Code (IEEE C2-2007) and the National Electrical~~

18 ~~Code (NEPA 70-2005), which is incorporated herein by reference, pertaining to the construction of~~

19 ~~telecommunications facilities.~~

20 ~~(2) Compliance with these codes and accepted good practice is necessary to insure as far as reasonably possible~~

21 ~~continuity of service, uniformity in the quality of service furnished and the safety of persons and property.~~

22 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.03, 364.15 FS. History—Revised 12-1-

23 68, Amended 4-19-77, Formerly 25-4.36, Amended 2-5-86, 3-26-91, 5-3-94, 12-23-02, 12-29-05, 9-5-07,

24 Repealed xx-xx-xx.

25

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1 25-4.038 Safety.

2 ~~Each utility shall at all times use reasonable efforts to properly warn and protect the public from danger, and shall~~
3 ~~exercise due care to reduce the hazards to which employees, customers, and the public may be subjected by~~
4 ~~reason of its equipment and facilities. All subscriber loops shall be properly installed to prevent harm to the~~
5 ~~public as referenced in Article 800.30 and 800.31 of the National Electric Code (NEC), incorporated herein by~~
6 ~~reference.~~

7 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.03 FS. History—New 12-1-86, Formerly
8 25-4.38, Amended 4-3-05, Repealed xx-xx-xx.

9

10 25-4.040 Telephone Directories; Directory Assistance.

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

23 ~~(2) Each subscriber served by a directory shall be furnished one copy of that directory for each access line.~~

24 ~~Subject to availability, additional directories shall be provided by the local exchange telecommunications~~
25 ~~company, which may charge a reasonable fee therefor. Each exchange company shall file with the Commission a~~

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1 tariff setting forth the fee, if any, and the conditions under which it will apply. Copies of each directory shall be
2 furnished to the Bureau of Service Quality. When expanded calling scopes are involved, as with Extended Area
3 Service, each subscriber shall be provided with directory listings for all published telephone numbers within the
4 local service area.

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

7 (b) The following information shall be listed on the inside of the front cover of the directory:

8 1. "911" instructions shall be at the top of the inside front cover and shall be outlined in order to be separate from
9 other information on the inside front cover. "911" shall be the only listed emergency number; all other numbers
10 on the inside front cover shall be listed as "nonemergency" or "other important numbers."

11 2. The information required by Section 395.1027, F.S.

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

13 ~~FLORIDA PUBLIC SERVICE COMMISSION INQUIRIES CUSTOMERS OF UTILITIES AND~~
14 ~~COMPANIES REGULATED BY THE COMMISSION WHO HAVE FIRST CONTACTED SUCH A FIRM~~
15 ~~CONCERNING A PROBLEM, AND ARE NOT SATISFIED BY THE CORRECTIVE ACTION TAKEN~~
16 ~~MAY CONTACT:~~
17 ~~COMISION DE SERVICIO PÚBLICO DEL ESTADO DE LA FLORIDA: TODOS LOS CLIENTES DE~~
18 ~~UTILIDADES Y EMPRESAS REGULADAS EN LA FLORIDA QUE HAYAN INICIADO CONTACTO CON~~
19 ~~DICHA ENTIDAD Y NO ESTÉN SATISFECHOS CON LA RESOLUCIÓN DE SU QUEJA Y/O~~
20 ~~INVESTIGACIÓN PUEDEN DIRIGIRSE A:~~

21 ~~THE FLORIDA PUBLIC SERVICE COMMISSION~~

22 ~~Division of Service, Safety and Consumer Assistance~~

23 ~~2540 Shumard Oak Boulevard~~

24 ~~Tallahassee, Florida 32399-8153~~

25 ~~Phone Toll Free (TDD & Voice) 1 (800) 342-3552~~

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1 ~~Facsimile Toll Free 1 (800) 511-0809~~

2 ~~Internet E-mail address for filing complaints:~~

3 ~~CONTACT@PSC.STATE.FL.US~~

4 ~~Internet Address for retrieving information:~~

5 ~~http://www.psc.state.fl.us/~~

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

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

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

11 ~~(c) Application and amount of charges for line busy verification, emergency interrupt and maintenance/repair~~
12 ~~services.~~

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

14 ~~(e) Identification of customer payment locations and an explanation of discontinuance of service procedures for~~
15 ~~local service. Identification of customer payment locations may be accomplished by listing a website and toll-free~~
16 ~~number.~~

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

19 ~~1. A layman's description of inside wiring.~~

20 ~~2. A layman's description of demarcation point.~~

21 ~~3. A layman's description of the customer's responsibility for all wiring on the customer's side of the~~
22 ~~demarcation point.~~

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

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

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- 1 ~~6. Instructions on how to determine whether the customer or the telephone company is responsible for needed~~
2 ~~repairs.~~
- 3 ~~7. Instructions for determining when a phone jack is defective.~~
- 4 ~~8. Instructions for determining when a telephone is defective.~~
- 5 ~~(g) Policy on the recording of telephone conversations.~~
- 6 ~~(h) Policy on harassing calls and sales solicitations generated by illegal automatic dialing equipment.~~
- 7 ~~(i) Policy on various violations of law arising from the illegal use of telephone equipment and service.~~
- 8 ~~(j) A conspicuous notice of the availability of the "No Sales Solicitation" list offered through the Florida~~
9 ~~Department of Agriculture and Consumer Services, Division of Consumer Services, and the 800 number to~~
10 ~~contact for further information.~~
- 11 ~~(5) Directory assistance operators shall maintain records of all telephone numbers (except for non published~~
12 ~~telephone numbers) in the area for which they have the responsibility of furnishing service. Directory assistance~~
13 ~~records must also contain listings for "Poison Information Center" and, the local telephone number, where the~~
14 ~~area served by the directory assistance operator has local calling to a Poison Information Center. If no local~~
15 ~~telephone number exists, then the toll free telephone number of a Poison Information Center shall be listed. All~~
16 ~~new or changed listings shall be provided to directory assistance operators within 48 hours after connection of~~
17 ~~service, excluding Saturdays, Sundays and holidays.~~
- 18 ~~(6) In the event of an error in the listed number of any subscriber, each local exchange telecommunications~~
19 ~~company shall intercept all calls to the listed number for the period of time required to comply with Rule 25-~~
20 ~~4.074, F.A.C., provided the listed number is not in service. In the event of an error or omission in the name listing~~
21 ~~of a customer, the customer's correct name and telephone number shall be listed in the directory assistance and~~
22 ~~intercept records and the correct number furnished the calling party upon request or interception.~~
- 23 ~~(7) When a subscriber will establish a residence or business shortly after the close of subscriber listing records~~
24 ~~but preceding publication, the local exchange telecommunications company shall, upon request, establish and list~~
25 ~~service at the requested new address and immediately place the service on suspension. Service connection and~~

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1 ~~other appropriate local service charges shall be due and payable, independent of whether service is later restored.~~

2 ~~(8) When scheduled additions or changes in plant, records or operations will require a large group of number~~
3 ~~changes, the earliest possible notice shall be given to affected customers, regardless of the time of the change~~
4 ~~relative to the directory issuance cycle.~~

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

7 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.02(2), 364.025, 364.0251, 364.03,
8 364.385, 365.171, 395.1027 FS. History— New 12-1-68, Amended 3-31-76, 1-4-78, 12-10-84, Formerly 25-4.40,
9 Amended 11-28-89, 3-31-91, 2-11-92, 12-16-94, 11-20-08, Repealed xx-xx-xx.

10

11 25-4.041 Courtesy.

12 ~~Each company shall adequately supervise and train its employees to be courteous, considerate and efficient at all~~
13 ~~times in their contact and dealings with its subscribers and the public in general, and shall make checks from time~~
14 ~~to time to insure that courteous service actually is being rendered.~~

15 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03 FS. History—New 12-1-68, Formerly 25-4.41.

16 Repealed xx-xx-xx

17

18 25-4.066 Availability of Basic Local Telecommunications Service.

19 ~~(1) Each telecommunications company shall provide central office equipment and outside plant facilities~~
20 ~~designed and engineered in accordance with realistic anticipated customer demands for basic local~~
21 ~~telecommunications service within its certificated area in accordance with its schedules.~~

22 ~~(2) Where central office and outside plant facilities are readily available, at least 90 percent of all requests for~~
23 ~~basic local telecommunications service shall be installed within an interval of three working days after receipt of~~
24 ~~application when all schedule requirements relating thereto have been complied with, except those instances~~
25 ~~where a later installation date is requested by the applicant.~~

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- 1 ~~(3) If the applicant requests an installation date beyond three working days, the requested date shall be counted as~~
2 ~~day three for measurement purposes.~~
- 3 ~~(4) Failure of the customer to afford the company representative entry to the premises during the appointment~~
4 ~~period shall exempt the order for measurement purposes.~~
- 5 ~~(5) Each company shall report basic local telecommunications installation performance pursuant to Rule 25-~~
6 ~~4.0185, F.A.C., Periodic Reports.~~
- 7 Rulemaking Authority 350.127(2) FS. Law Implemented 364.025, 364.15, 364.183, 364.185 FS. History--
8 Revised 12-1-68, Amended 3-31-76, Formerly 25-4.66, Amended 3-10-96, 4-3-05, 4-3-05, 10-21-09, Repealed
9 XX-XX-XX.
- 10 25-4.070 Customer Trouble Reports for Basic Local Telecommunications Service.
- 11 ~~(1) Each telecommunications company shall make all reasonable efforts to minimize the extent and duration of~~
12 ~~trouble conditions that disrupt or affect basic local telecommunications service. Trouble reports will be classified~~
13 ~~as to their severity on a service interruption (synonymous with out of service or OOS) or service affecting~~
14 ~~(synonymous with non-out-of-service or non-OOS) basis. Service interruption reports shall not be downgraded to~~
15 ~~a service affecting report; however, a service affecting report shall be upgraded to a service interruption if~~
16 ~~changing trouble conditions so indicate.~~
- 17 ~~(a) Companies shall make every reasonable attempt to restore service on the same day that the interruption is~~
18 ~~reported to the serving repair center.~~
- 19 ~~(b) In the event a subscriber's service is interrupted other than by a negligent or willful act of the subscriber and it~~
20 ~~remains out of service in excess of 24 hours after being reported to the company, an appropriate adjustment or~~
21 ~~refund shall be made to the subscriber automatically, pursuant to Rule 25-4.110, F.A.C. (Customer Billing).~~
- 22 ~~Service interruption time will be computed on a continuous basis, Sundays and holidays included. Also, if the~~
23 ~~company finds that it is the customer's responsibility to correct the trouble, it must notify or attempt to notify the~~
24 ~~customer within 24 hours after the trouble was reported.~~
- 25 ~~(2) Sundays and Holidays:~~

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1 ~~(a) Except for emergency service providers, such as the military, medical, police, and fire, companies are not~~
2 ~~required to provide normal repair service on Sundays. Where any repair action involves a Sunday or holiday, that~~
3 ~~period shall be excepted when computing service standards, but not refunds for service interruptions.~~
4 ~~(b) Service interruptions occurring on a holiday not contiguous to Sunday will be treated as in paragraph (2)(a) of~~
5 ~~this rule. For holidays contiguous to a Sunday or another holiday, sufficient repair forces shall be scheduled so~~
6 ~~that repairs can be made if requested by a subscriber.~~
7 ~~(3) Service Standards:~~
8 ~~(a) Service Interruption: Restoration of interrupted service shall be scheduled to ensure at least 90 percent shall~~
9 ~~be cleared within 24 hours of the report.~~
10 ~~(b) Service Affecting: Clearing of service affecting trouble reports shall be scheduled to ensure at least 90 percent~~
11 ~~of such reports are cleared within 72 hours of the report.~~
12 ~~(4) If the customer requests that the service be restored on a particular day beyond the service standards in~~
13 ~~subsection (3) above, the trouble report shall be counted as having met the service standards if the requested date~~
14 ~~is met.~~
15 ~~(5) Priority shall be given to service interruptions that affect public health and safety that are reported to and~~
16 ~~verified by the company and such service interruptions shall be corrected as promptly as possible on an~~
17 ~~emergency basis.~~
18 ~~(6) The service standards of this rule shall not apply to subsequent customer reports or emergency situations,~~
19 ~~such as unavoidable casualties where at least 10 percent of an exchange is out of service.~~
20 ~~(7) Each company shall report pursuant to Rule 25-4.0185, F.A.C., Periodic Reports, the performance of the~~
21 ~~company with respect to customer trouble reports.~~
22 ~~(8) This rule shall apply to basic local telecommunications service only.~~
23 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.15, 364.183, 364.386 FS. History--
24 Revised 12-1-68, Amended 3-31-76, Formerly 25-4.70, Amended 6-24-90, 3-10-96, 4-3-05, 10-21-09, Repealed
25 XX-XX-XX.

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 25-4.071 Adequacy of Service.

2 ~~(1) Telephone calls to valid numbers shall encounter a ring-back tone, line busy signal, or non-working number~~
3 ~~intercept facility after completion of dialing.~~

4 ~~(2) A line busy signal (60 impulse per minute tone) shall not be used for any signaling purpose except to denote~~
5 ~~that a subscriber's line, other valid terminal, centrex or PBX trunks, or equipment where the quantity is~~
6 ~~controlled by the customer is in use.~~

7 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.03, 364.15, 364.17, 364.18, 364.183,
8 364.19, 364.386 FS. History—Revised 12-1-68, Amended 3-31-76, Formerly 25-4.71, Amended 6-24-90, 3-10-
9 96, 3-26-09, Repealed xx-xx-xx.

10

11 25-4.072 Transmission Requirements.

12 ~~(1) Telecommunications companies shall furnish and maintain the necessary plant, equipment, and facilities to~~
13 ~~provide modern, adequate, sufficient, and efficient transmission of communications between customers in their~~
14 ~~service areas. Transmission parameters shall conform to ANSI/IEEE Standard 820 Telephone Loop Performance~~
15 ~~Characteristics (Adopted 1984) incorporated herein by reference.~~

16 ~~(2) Accurate dependable milliwatt supplies shall be made a part of each central office. Additionally, for those~~
17 ~~central offices having an installed line capacity of 1,000 lines or more, the buffered access on a minimum three~~
18 ~~line rotary group basis shall be a part of the milliwatt supply.~~

19 ~~(3) Each central office shall be equipped with a minimum of one termination which shall trip ringing and~~
20 ~~terminate the line on a balanced basis so that end-to-end noise measurements may be made.~~

21 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.03, 364.15, 364.386 FS. History—New
22 12-1-68, Amended 3-31-76, Formerly 25-4.72, Amended 3-10-96, 4-3-05, Repealed xx-xx-xx.

23

24 25-4.073 Answering Time for Basic Local Telecommunications Service.

25 ~~(1) Each telephone company shall provide equipment designed and engineered on the basis of realistic forecasts~~

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1 of growth, and shall make all reasonable efforts to provide adequate personnel so as to meet the following service
2 standards under normal operating conditions:

3 (a) ~~At least 90 percent of all calls directed to business and repair offices for basic local telecommunications~~
4 ~~service shall be answered within 90 seconds after the last digit is dialed when no menu driven system is utilized.~~

5 (b) ~~When a company utilizes a menu driven, automated, interactive answering system (referred to as the system~~
6 ~~or as an Integrated Voice Response Unit (IVRU)), at least 95 percent of the calls offered shall be answered within~~
7 ~~30 seconds after the last digit is dialed. The initial recorded message presented by the system to the customer~~
8 ~~shall include the option of transferring to a live attendant within the first 60 seconds of the message.~~

9 (c) ~~For subscribers who select the option of transferring to a live assistant, the call shall be transferred by the~~
10 ~~system to a live attendant. At least 90 percent of the calls shall be answered by the live attendant prepared to give~~
11 ~~immediate assistance within 90 seconds of being transferred to the attendant.~~

12 (d) ~~The terms "answered" as used in paragraphs (a) and (c) above, shall be construed to mean more than an~~
13 ~~acknowledgment that the customer is waiting on the line. It shall mean that the service representative is ready to~~
14 ~~render assistance.~~

15 (2) ~~All telecommunications companies are expected to answer their main published telephone number on a 24~~
16 ~~hour a day basis. Such answering may be handled by a special operator at the toll center or directory assistance~~
17 ~~facility when the company offices are closed. Where after hours calls are not handled as described above, at least~~
18 ~~the first published business office number will be equipped with a telephone answering device which will notify~~
19 ~~callers after the normal working hours of the hours of operation for that business office. Where recording devices~~
20 ~~are used, the message shall include the telephone number assigned to handle urgent or emergency calls when the~~
21 ~~business office is closed.~~

22 (3) ~~Each company shall report pursuant to Rule 25-4.0185, F.A.C., Periodic Reports, the performance of the~~
23 ~~company with respect to answer time.~~

24 (4) ~~This rule shall apply to basic local telecommunications service only.~~

25 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.386, 365.171 FS. History—New 12-1-68,

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 Amended 3-31-76, Formerly 25-4.73, Amended 11-24-92, 4-3-05, 10-21-09, Repealed xx-xx-xx.

2

3 25-4.074 Intercept Service.

4 ~~(1) Numbers that are changed coincident with the issuance of a new directory are not subject to the requirements~~
5 ~~of this rule.~~

6 ~~(2) Intercept service shall be provided for non-working, non-assigned, and changed numbers until assigned, re-~~
7 ~~assigned, or no longer listed in the directory.~~

8 ~~(3) Subscriber lines which are temporarily disconnected for nonpayment of bills shall be placed on intercept.~~

9 ~~(4) Intercept service shall be provided for calls to invalid numbers.~~

10 ~~(5) Intercept service or alternative routing to a default number shall be provided for the universal emergency~~
11 ~~telephone number "911" in central offices where the number is inoperable. The intercept service may be~~
12 ~~automated with a message indicating the "911" emergency number is inoperable in that area and to consult the~~
13 ~~directory for the appropriate emergency number or if a directory is not available to dial operator for assistance.~~

14 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01, 364.03, 364.051 FS. History—New 12-1-68,
15 Amended 3-31-76, Formerly 25-4.74, Amended 3-10-96, 3-26-09, Repealed xx-xx-xx.

16

17 25-4.078 Emergency Operation.

18 ~~(1) Each telephone utility shall make reasonable provisions to meet emergencies resulting from failure of lighting~~
19 ~~or power service, sudden and prolonged increases in traffic, storms, etc., and shall instruct employees as to~~
20 ~~procedures to be followed in the event of emergency in order to prevent or mitigate interruption or impairment of~~
21 ~~telephone service.~~

22 ~~(2) It is essential that all central offices have adequate provision for emergency power. All new central offices,~~
23 ~~central office replacements and/or major additions placed on order after the effective date of these rules shall be~~
24 ~~designed to meet the following objectives:~~

25 ~~(a) Central offices with installed emergency power generating equipment will have a minimum of three (3) hours~~

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1 ~~central office battery capacity at busy season busy hour load.~~

2 (b) ~~Central offices without installed emergency power generating equipment shall have a minimum central office~~

3 ~~battery capacity of five (5) hours busy season load. Facilities will be available so that a portable generator can be~~

4 ~~readily connected. Portable generators will be provided, as a minimum, on the basis of one (1) per three (3)~~

5 ~~unequipped offices and garaged so that a unit may be delivered to an affected office on short notice and with~~

6 ~~minimum travel time.~~

7 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.025, 364.03 FS. History—Revised 12-1-

8 68, Amended 3-31-76, Formerly 25-4.78, Repealed xx-xx-xx.

9 25-4.079 Hearing/Speech Impaired Persons.

10 (1) ~~The telephone directory published by each local exchange telephone company (LEC) shall:~~

11 (a) ~~List, with other emergency numbers at the beginning of the directory, Telecommunications Devices for the~~

12 ~~Deaf (TDD) numbers for emergency services, which shall be denoted by the universal symbol for the~~

13 ~~hearing/speech impaired, i.e., a picture of an ear with a slash across it;~~

14 (b) ~~List the company's business office TDD number, which shall also be denoted by said universal symbol, for~~

15 ~~communicating with hearing/speech impaired persons;~~

16 (c) ~~At the option of and without charge to TDD users, have a special notation by each TDD user's number~~

17 ~~indicating TDD or TDD plus voice capability;~~

18 (d) ~~At the option of and without charge to hearing/speech impaired customers, not list the number of any~~

19 ~~hearing/speech impaired customer who requests that it not be published.~~

20 (2) ~~Each LEC shall provide directory and operator assistance to TDD users. The numbers for these services shall~~

21 ~~be listed in the front of the directory and denoted by the universal symbol.~~

22 (3) ~~Each LEC shall compile informational literature about the services it makes available to hearing/speech~~

23 ~~impaired persons and shall maintain this literature for public inspection in the company's business office. Each~~

24 ~~company shall send this literature at no charge to anyone requesting it and shall include this literature or a~~

25 ~~summary of it, once a year, in the company's informational mailings.~~

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

3 ~~(5) Each LEC shall inform persons inquiring about specialized customer premises equipment for hearing/speech~~
4 ~~impaired persons of Florida Telecommunications Relay, Inc., which provides such equipment at no cost.~~
5 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.02, 364.025, 364.03, 364.04 FS.
6 History—New 4-5-88, Amended 6-3-90, 5-8-05, 11-20-08, Repealed xx-xx-xx.

7
8 25-4.081 Emergency 911 Access.

9 ~~(1) Access to emergency 911 services shall be provided by the local exchange company to basic local exchange~~
10 ~~company subscribers.~~

11 ~~(2) By July 1, 1997, access to 911 services shall be maintained for the duration of any temporary disconnection~~
12 ~~for non-payment of a subscriber's local residential service, except that small local exchange companies as~~
13 ~~defined by Section 364.052(1), F.S., shall have until July 1, 1998, to comply.~~

14 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01(4), 364.02, 364.025, 364.03(3), 365.171,
15 364.385 FS. History—New 1-5-97. Repealed xx-xx-xx.

16
17 25-4.084 Carrier-of-Last-Resort; Multitenant Business and Residential Property.

18 ~~(1) A petition for waiver of the carrier of last resort obligation to a multitenant business or residential property~~
19 ~~pursuant to Section 364.025(6)(d), F.S., shall be filed with the Office of Commission Clerk and shall be delivered~~
20 ~~by hand delivery on the same day, or by overnight mail on the day following filing, upon the relevant owners or~~
21 ~~developers together with a copy of Section 364.025(6), F.S., and this rule.~~

22 ~~(2) A petition for waiver of the carrier of last resort obligation shall be limited to a single development.~~

23 ~~(3) The petition must include the following:~~

- 24 ~~(a) The name, address, telephone number, electronic mail address, and any facsimile number of the petitioner;~~
25 ~~(b) The name, address, telephone number, electronic mail address, and any facsimile number of the attorney or~~

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1 qualified representative of the petitioner if any;

2 (c) The address or other specific description of the property for which the waiver is requested;

3 (d) The specific facts and circumstances that demonstrate good cause for the waiver as required by Section

4 364.025(6)(d), F.S.;

5 (e) A statement that interested persons have 14 calendar days from the date the petition is received to file a

6 response to the petition with the Commission, unless the fourteenth day falls on a Saturday, Sunday, or holiday,

7 in which case the response must be filed no later than the next working day; and

8 (f) A statement certifying that delivery of the petition has been made on the relevant owners or developers and

9 the method of delivery.

10 (4) A response to a petition must include the following:

11 (a) The name, address, telephone number, electronic mail address, and any facsimile number of the respondent;

12 (b) The name, address, telephone number, electronic mail address, and any facsimile number of the attorney or

13 qualified representative of the respondent if any upon whom service of pleadings and other papers shall be made;

14 and

15 (c) Whether the respondent disputes the facts and circumstances alleged in the petition.

16 Rulemaking Authority 350.127(2) FS. Law Implemented 364.025 FS. History—New 2-20-07, Repealed xx-xx-xx.

17

18 25-4.085 Service Guarantee Program.

19 A company may petition the Commission for approval of a Service Guarantee Program, which would relieve the

20 company from the rule requirement of each service standard addressed in the approved Service Guarantee

21 Program. When evaluating a Service Guarantee Program for approval, the Commission will consider the

22 Program's benefits to the customers and whether the Program is in the public interest. The Commission shall

23 have the right to enforce the provisions of the Service Guarantee Plan.

24 Rulemaking Authority 350.127(2) FS. Law Implemented 364.01, 364.01(4), 364.03, 364.035, 364.386 FS.

25 History—New 6-14-05, Repealed xx-xx-xx.

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25-4.088 Applicability.

~~(1) Extensions of telephone distribution lines applied for after the effective date of these rules, and necessary to furnish permanent telephone service to all structures within a new residential subdivision, or to new multiple-occupancy buildings, shall be made underground; except that the utility may not be required to provide an underground distribution system in those instances where the applicant has elected to install an overhead electric distribution system.~~

~~(2) Such extensions of service shall be made by the utility in accordance with the provisions in these rules.~~

Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.15 FS. History—New 4-10-71, Formerly 25-4.88, Repealed xx-xx-xx.

25-4.089 Definitions.

The following words and terms, when used in these rules, shall have the meaning indicated:

~~(1) "Applicant." Any person, partnership, association, corporation, or governmental agency controlling or responsible for the development of a new subdivision and applying for the construction of an underground telephone distribution system in such subdivision.~~

~~(2) "Building." Any structure, within a subdivision, designed for residential occupancy and containing less than five (5) individual dwelling units.~~

~~(3) "Commission." The Florida Public Service Commission.~~

~~(4) "Distribution System." Telephone service facilities consisting of cable(s), terminals, splice enclosures, protective devices, loading coils and other accessories and appurtenances necessary for the furnishing of communication services.~~

~~(5) "Multiple-occupancy building." A structure erected and framed of component structural parts and designed to contain five (5) or more individual dwelling units.~~

~~(6) "Subdivision." The tract of land which is divided into five (5) or more building lots or upon which five (5) or~~

1 ~~more separate dwelling units are to be located on the land on which is to be constructed new multiple occupancy~~
2 ~~buildings.~~

3 ~~(7) "Utility." A telephone company as defined in Chapter 364, F.S.~~
4 ~~Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.15 FS. History--New 4-10-71, Formerly~~
5 ~~25-4.89. Repealed xx-xx-xx.~~

6

7 ~~25-4.090 Rights of Way and Easements.~~

8 ~~(1) Within the applicant's subdivision the utility shall construct, own, operate and maintain underground~~
9 ~~distribution lines only along easements, public streets, roads, and highways which the utility has the legal right to~~
10 ~~occupy, and on public lands and private property across which rights of way and easements satisfactory to the~~
11 ~~utility may be obtained without cost or condemnation by the utility.~~

12 ~~(2) The Company shall have no responsibility under this Part VI unless rights of way and easements suitable to~~
13 ~~the utility are furnished by the applicant in reasonable time to meet service requirements and at no cost, cleared~~
14 ~~of trees, tree stumps, paving and other obstructions, staked to show property lines and final grade, and must be~~
15 ~~graded to within six (6) inches of final grade by the applicant all at no charge to the utility. Such clearing and~~
16 ~~grading must be maintained by the applicant during construction by the utility.~~

17 ~~Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.15 FS. History--New 4-10-71, Amended 3-~~
18 ~~31-76, Formerly 25-4.90. Repealed xx-xx-xx.~~

19

20 ~~25-4.091 Installation of Underground Distribution System Within Subdivision.~~

21 ~~(1) Upon receipt of a proper application the utility shall install an underground telephone distribution system with~~
22 ~~sufficient and suitable materials which, in its judgment, will assure that the applicant will receive reasonably safe~~
23 ~~and adequate telephone service for the reasonably foreseeable future.~~

24 ~~(2) All distribution cable and service entrance facilities shall be underground. Accessory equipment may be~~
25 ~~pedestal mounted when dictated by physical conditions or economic considerations.~~

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1 ~~(3) Service entrance facilities normally will be at the point of the building nearest the point at which the~~
2 ~~underground system enters the property to be served. If such service entrance point on any building is more than~~
3 ~~seventy-five (75) feet, measured at right angles, from the serving property line, then the applicant may be~~
4 ~~required to pay for the length in excess of seventy-five (75) feet in accordance with the extension rules of the~~
5 ~~utility on file with the Commission.~~

6 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.15 FS. History—New 4-10-71, Formerly
7 25-4.91. Repealed xx-xx-xx.

8

9 25-4.092 Schedule of Charges.

10 ~~The utility shall install the underground telephone distribution system at no charge to the applicant; except that,~~
11 ~~the applicant may be required by the utility to furnish suitable conduit for the placement of service entrance~~
12 ~~facilities to multiple occupancy buildings, which shall be required in all such installations.~~

13 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.04, 364.15 FS. History—New 4-10-71,
14 Formerly 25-4.92. Repealed xx-xx-xx.

15

16 25-4.093 Connection of Existing System.

17 ~~The connection from the existing telephone distribution system to the underground system installed within the~~
18 ~~applicant's subdivision shall be made in accordance with the regular extension rules of the utility on file with the~~
19 ~~Commission, subject to reference to the Commission, under Rule 25-4.097, F.A.C., if this should appear to be~~
20 ~~impracticable.~~

21 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.15 FS. History—New 4-10-71, Formerly
22 25-4.93. Repealed xx-xx-xx.

23

24 25-4.094 Advance by Applicant.

25 ~~(1) The utility may require a reasonable deposit from the applicant before construction is commenced, in order to~~

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1 ~~guarantee performance, such requirement to be in accordance with approved tariffs relating to extension of~~
2 ~~facilities. The deposit shall be returned to the applicant on a pro-rata basis at either quarterly or annual intervals~~
3 ~~on the basis of installations of service to new subscribers. If returned quarterly, no interest need be paid; but if~~
4 ~~refunded annually, the refundable portion of the deposit shall bear interest at a rate equivalent to the then current~~
5 ~~prime interest rate.~~

6 ~~(2) Any amount due the utility under Rule 25-4.093, F.A.C., may be withheld when the deposit is being returned~~
7 ~~to the applicant.~~

8 ~~(3) Any portion of the deposit remaining unrefunded five (5) years from the date the utility is first ready to render~~
9 ~~service from the extension will be retained by the utility as liquidated damages and credited to an appropriate~~
10 ~~account.~~

11 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.15 FS. History—New 4-10-71, Formerly
12 25-4.94. Repealed xx-xx-xx.

13
14 25-4.095 Construction Practices.

15 ~~(1) Each applicant shall cooperate with the utility in an effort to keep the cost of construction and installation of~~
16 ~~the underground telephone distribution system as low as possible.~~

17 ~~(2) To the extent practicable, joint use of trenches by all utilities shall be undertaken where economies can be~~
18 ~~realized without impairment to safety or service, care being taken to conform to any applicable Code and utility~~
19 ~~specification.~~

20 ~~(3) To the extent practicable, where existing aerial facilities are being retired and removed from service,~~
21 ~~replacement will be made with underground construction whenever economically feasible.~~

22 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.15 FS. History—New 4-10-71, Formerly
23 25-4.95. Repealed xx-xx-xx.

24
25 25-4.096 Records and Reports.

1 ~~(1) To insure the development and availability of appropriate data necessary to a determination of the relative~~
2 ~~cost of underground distribution systems as compared with overhead systems, each utility will undertake to~~
3 ~~establish and maintain separate records or sub-accounts for underground distribution construction, operating and~~
4 ~~maintenance costs.~~

5 ~~(2) Records shall also be maintained of experienced results obtained in the use of joint trenching, in such manner~~
6 ~~and detail as will afford an opportunity to evaluate the economies available using this practice.~~

7 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.15, 364.183 FS. History—New 4-10-71,
8 Formerly 25-4.96. Repealed xx-xx-xx.

9

10 25-4.097 Special Conditions.

11 ~~When the application of these rules appears impracticable or unjust to either party, or discriminatory to other~~
12 ~~customers, the utility or applicant shall refer the matter to the Commission for special ruling or for the approval~~
13 ~~of special conditions which may be mutually agreed upon, prior to commencing construction.~~

14 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.15 FS. History—New 4-10-71, Formerly
15 25-4.97. Repealed xx-xx-xx.

16

17 25-4.107 Information to Residential Customers; Installment Plan.

18 ~~(1) At the time of initial contact, each company shall inform all persons applying for residential service of the~~
19 ~~availability of the company's installment plan for the payment of service connection charges. Each company~~
20 ~~shall permit residential customers to pay service connection charges in equal monthly installments over a period~~
21 ~~of at least 3 months. A company may charge a monthly service fee of \$1.00 to applicants who elect to pay the~~
22 ~~service connection charge in installments.~~

23 ~~(2) Upon customer request, the person shall also be given an 800 number to call to receive information on the~~
24 ~~"No Sales Solicitation" list offered through the Department of Agriculture and Consumer Services, Division of~~
25 ~~Consumer Services.~~

1 ~~(3) In any discussion of enhanced or optional services, each service shall be identified specifically, and the price~~
2 ~~of each service shall be given.~~

3 ~~(4) This rule shall apply to residential service only.~~

4 Rulemaking Authority 350.127(2), 364.14(2) FS. Law Implemented 364.025, 364.0252, 364.03, 364.04, 364.051,
5 364.15, 350.127 FS. History—New 7-5-79, Amended 11-30-86, 11-28-89, 3-31-91, 10-30-91, 3-26-09, Repealed
6 XX-XX-XX.

7

8 25-4.109 Residential Customer Deposits.

9 ~~(1) Deposit required; establishment of credit. Each local exchange company's (LEC) tariff shall contain their~~
10 ~~specific criteria for determining the amount of initial deposit. Each LEC may require an applicant for service to~~
11 ~~satisfactorily establish credit, but such establishment of credit shall not relieve the customer from complying with~~
12 ~~the company's rules for prompt payment of bills. Credit will be deemed so established if:~~

13 ~~(a) The applicant for service has been a customer of any LEC within the last two years and during the last twelve~~
14 ~~(12) consecutive months of service did not have more than one occasion in which a bill was paid after becoming~~
15 ~~delinquent and has never had service disconnected for non-payment.~~

16 ~~(b) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for the service~~
17 ~~requested. A satisfactory guarantor shall, at the minimum, be a customer of the company with a satisfactory~~
18 ~~payment record. A guarantor's liability shall be terminated when a residential customer whose payment of bills is~~
19 ~~secured by the guarantor meets the requirements of subsection (4) of this rule. Guarantors providing security for~~
20 ~~payment of residential customers' bills shall only be liable for bills contracted at the service address contained in~~
21 ~~the contract of guaranty.~~

22 ~~(c) The applicant pays a cash deposit.~~

23 ~~(d) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety bond.~~

24 ~~(2) Amount of deposit. The amount of the initial required deposit shall not exceed an amount equal to the charges~~
25 ~~for one month's local exchange service plus two months estimated toll service provided by or billed by the LEC.~~

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1 ~~If, after ninety (90) days service, the actual deposit is found to be greater than an amount equal to one month's~~
2 ~~local service plus two months actual average toll service provided by or billed by the LEC, the company shall,~~
3 ~~upon demand of the subscriber to the Company, promptly refund the difference. These deposit rules apply to~~
4 ~~local exchange service and toll service provided by or billed by the LEC only and do not apply to special~~
5 ~~arrangement agreements covering termination equipment installations for which the telephone company may~~
6 ~~require a reasonable deposit.~~

7 ~~(3) New or additional deposits. A company may require upon reasonable written notice of not less than 15 days, a~~
8 ~~new deposit, where previously waived or returned, or an additional deposit, in order to secure payment of current~~
9 ~~bills. Provided, however, that the total amount of required deposit should not exceed twice the actual average~~
10 ~~monthly toll provided by or billed by the LEC plus one month's local service charge, for the 90 day period~~
11 ~~immediately prior to the date of notice. In the event the customer has had service less than 90 days, then the~~
12 ~~company shall base its new or additional deposit upon the actual average monthly billing available.~~

13 ~~(4) Refund of deposit. After a customer has established a satisfactory payment record and has had continuous~~
14 ~~service for a period of 23 months, the company shall refund the residential customer's deposits, providing the~~
15 ~~customer has not, in the preceding 12 months:~~

16 ~~(a) Made more than one late payment of a bill (after the expiration of 15 days from the date of mailing or delivery~~
17 ~~by the company);~~

18 ~~(b) Paid with a check refused by a bank;~~

19 ~~(c) Been disconnected for nonpayment, or at any time; and~~

20 ~~(d) Used service in a fraudulent or unauthorized manner.~~

21 ~~(5) Interest on deposit.~~

22 ~~(a) Each telephone company which requires deposits to be made by its customers shall pay a minimum interest~~
23 ~~on such deposits of 6 percent per annum.~~

24 ~~(b) The deposit interest shall be simple interest in all cases and settlement shall be made annually, either in cash~~
25 ~~or by credit on the current bill. This does not prohibit any company paying a higher rate of interest than required~~

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1 by this rule. No customer depositor shall be entitled to receive interest on their deposit until and unless a
2 customer relationship and the deposit have been in existence for a continuous period of six months. Then he or
3 she shall be entitled to receive interest from the day of the commencement of the customer relationship and the
4 placement of deposit. Nothing in this rule shall prohibit a company from refunding at any time a deposit with an
5 accrued interest.

6 ~~(6) Record of deposits. Each company having on hand deposits from customers or hereafter receiving deposits
7 from them shall keep records to show:~~

8 ~~(a) The name of each customer making the deposit;~~

9 ~~(b) The premises occupied by the customer when the deposit was made;~~

10 ~~(c) The date and amount of deposit; and~~

11 ~~(d) Each transaction concerning the deposit such as interest payment, interest credited or similar transactions.~~

12 ~~(7) Receipt for deposit. A non-transferable certificate of deposit shall be issued to each customer and means
13 provided so that the customer may claim the deposit if the certificate is lost. The deposit receipt shall contain
14 notice that after ninety (90) days service, the subscriber is entitled to refunds of any deposit over and above an
15 amount equal to one month's local service plus two months' average toll service provided by or billed by the
16 LEC.~~

17 ~~(8) Refund of deposit when service is discontinued. Upon termination of service, the deposit and accrued interest
18 may be credited against the final account of the LEC and the balance, if any, shall be returned promptly to the
19 customer but in no event later than forty five (45) days after service is discontinued.~~

20 ~~(9) This rule shall apply to residential service only.~~

21 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.07, 364.19 FS. History—New 12-1-68,
22 Amended 4-1-69, 7-20-73, 3-31-76, 6-10-80, 9-16-80, 1-31-84, 10-13-88, 8-29-89, 4-25-94, 3-26-09, Repealed
23 XX-XX-XX.

24

25 25-4.110 Customer Billing for Local Exchange Telecommunications Companies.

- 1 ~~(1) Each company shall issue bills monthly or may offer customers a choice of billing intervals that includes a~~
2 ~~monthly billing interval.~~
- 3 ~~(2) If each recurring charge due and payable is not itemized, each bill shall contain the following statement:~~
4 ~~“Further written itemization of local billing available upon request.” In addition, the billing party will provide a~~
5 ~~plain language explanation to any customer who contacts the billing party.~~
- 6 ~~(3) Each LEC shall provide an itemized bill for local service:~~
- 7 ~~(a) With the first bill rendered after local exchange service to a customer is initiated or changed; and~~
8 ~~(b) To every customer at least once each twelve months.~~
- 9 ~~(4) The annual itemized bill shall be accompanied by a bill insert or bill message which explains the itemization~~
10 ~~and advises the customer to verify the items and charges on the itemized bill. An itemized bill shall include, but~~
11 ~~not be limited to the following information, separately stated:~~
- 12 ~~(a) Number and types of access lines;~~
13 ~~(b) Charges for access to the system, by type of line;~~
14 ~~(c) Charges for each custom calling features or package;~~
15 ~~(d) Unlisted number charges;~~
16 ~~(e) Local directory assistance charges;~~
17 ~~(f) Other tariff charges; and~~
18 ~~(g) Other nontariffed, regulated charges contained in the bill.~~
- 19 ~~(5) All bills rendered by a local exchange company shall clearly state the following items:~~
- 20 ~~(a) Any discount or penalty. The originating party is responsible for informing the billing party of all such~~
21 ~~penalties or discounts to appear on the bill, in a form usable by the billing party;~~
22 ~~(b) Past due balance;~~
23 ~~(c) Amounts or items for which nonpayment will result in disconnection of the customer’s basic local service,~~
24 ~~including a statement of the consequences of nonpayment;~~
25 ~~(d) Long distance monthly or minimum charges, if included in the bill;~~

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- 1 ~~(e) Long distance usage charges, if included in the bill;~~
- 2 ~~(f) Usage based local charges, if included in the bill;~~
- 3 ~~(g) Telecommunications Access System Surcharge, per subsection 25-4.160(3), F.A.C.;~~
- 4 ~~(h) "911" fee per Section 365.171(13), F.S.; and~~
- 5 ~~(i) Delinquent date.~~
- 6 ~~(6) Each company shall make appropriate adjustments or refunds where the subscriber's service is interrupted by~~
- 7 ~~other than the subscriber's negligent or willful act, and remains out of order in excess of 24 hours after the~~
- 8 ~~subscriber notifies the company of the interruption. The refund to the subscriber shall be the pro rata part of the~~
- 9 ~~month's charge for the period of days and that portion of the service and facilities rendered useless or~~
- 10 ~~inoperative; except that the refund shall not be applicable for the time that the company stands ready to repair the~~
- 11 ~~service and the subscriber does not provide access to the company for such restoration work. The refund may be~~
- 12 ~~accomplished by a credit on a subsequent bill for telephone service.~~
- 13 ~~(7) Bills shall not be considered delinquent prior to the expiration of 15 days from the date of mailing or delivery~~
- 14 ~~by the company.~~
- 15 ~~(8) Each telephone company shall include a bill insert or bill message advising each subscriber of the directory~~
- 16 ~~closing date and the subscriber's opportunity to correct any error or make changes as the subscriber deems~~
- 17 ~~necessary in advance of the closing date. It shall also state that at no additional charge and upon the request of~~
- 18 ~~any residential subscriber, the exchange company shall list an additional first name or initial under the same~~
- 19 ~~address, telephone number, and surname of the subscriber. The notice shall be included in the billing cycle~~
- 20 ~~closest to 60 days preceding the directory closing date.~~
- 21 ~~(9) Annually, each telephone company shall include a bill insert or bill message advising each residential~~
- 22 ~~subscriber of the option to have the subscriber's name placed on the "No Sales Solicitation" list maintained by~~
- 23 ~~the Department of Agriculture and Consumer Services, Division of Consumer Services, and the 800 number to~~
- 24 ~~contact to receive more information.~~
- 25 ~~(10) Where any undercharge in billing of a customer is the result of a company mistake, the company may not~~

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- 1 ~~backbill in excess of 12 months.~~
- 2 (11) Each LEC shall apply partial payment of an end user/customer bill first towards satisfying any unpaid
- 3 regulated charges. The remaining portion of the payment, if any, shall be applied to nonregulated charges.
- 4 (12) The LEC or IXC will adjust the first bill containing Pay Per Call charges upon the end user's/customer's
- 5 stated lack of knowledge that Pay Per Call service (900 and 976) has a charge. A second adjustment will be made
- 6 if necessary to reflect calls billed in the following month which were placed prior to the Pay Per Call service
- 7 inquiry. At the time the charge is removed, the end user/customer shall be notified of the availability of free
- 8 blocking of Pay Per Call service (900 and 976).
- 9 (13) Companies that bill for local service must provide notification with the customer's first bill or via letter, and
- 10 annually thereafter that a PC Freeze is available at no charge. Existing customers must be notified annually that a
- 11 PC Freeze is available at no charge. Notification shall conform to the requirements of Rule 25-4.083, F.A.C.
- 12 (14) If a customer notifies a billing party that they did not order an item appearing on their bill or that they were
- 13 not provided a service appearing on their bill, the billing party shall promptly provide the customer a credit for
- 14 the item and remove the item from the customer's bill, with the exception of the following:
- 15 (a) Charges that originate from:
- 16 1. Billing party or its affiliates;
- 17 2. A governmental agency;
- 18 3. A customer's presubscribed intraLATA or interLATA interexchange carrier; and
- 19 (b) Charges associated with the following types of calls:
- 20 1. Collect calls;
- 21 2. Third party calls;
- 22 3. Customer dialed calls for; and
- 23 4. Calls using a 10-10-xxx calling pattern.
- 24 (15)(a) Upon request from any customer, a billing party must restrict charges in its bills to only:
- 25 1. Those charges that originate from the following:

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- 1 a. ~~Billing party or its affiliates;~~
- 2 b. ~~A governmental agency;~~
- 3 c. ~~A customer's presubscribed intraLATA or interLATA interexchange carrier; and~~
- 4 2. ~~Those charges associated with the following types of calls:~~
- 5 a. ~~Collect calls;~~
- 6 b. ~~Third party calls;~~
- 7 c. ~~Customer dialed calls; and~~
- 8 d. ~~Calls using a 10-10-xxx calling pattern.~~
- 9 ~~(b) Customers must be notified of this right by billing parties annually and at each time a customer notifies a~~
- 10 ~~billing party that the customer's bill contained charges for products or services that the customer did not order or~~
- 11 ~~that were not provided to the customer.~~
- 12 ~~(c) Small local exchange telecommunications companies as defined in Section 364.052(1), F.S., are exempted~~
- 13 ~~from this subsection.~~
- 14 ~~(16) In addition to the requirements listed in subsections (1) through (15) above, a local provider shall meet the~~
- 15 ~~requirements as prescribed by the Federal Communications Commission in Title 47, Code of Federal~~
- 16 ~~Regulations, Part 64, Sections 64.2400 and 64.2401, Truth-in-Billing Requirements for Common Carriers,~~
- 17 ~~revised as of October 1, 2007, which are incorporated into this rule by reference.~~
- 18 Rulemaking Authority 350.127, 364.604(5) FS. Law Implemented 350.113, 364.04, 364.052, 364.3382, 364.602,
- 19 364.603, 364.604 FS. History--New 12-1-68, Amended 3-31-76, 12-31-78, 1-17-79, 7-28-81, 9-8-81, 5-3-82, 11-
- 20 21-82, 4-13-86, 10-30-86, 11-28-89, 3-31-91, 11-11-91, 3-10-96, 12-28-98, 7-5-00, 11-16-03, 10-21-09,
- 21 Repealed xx-xx-xx.
- 22
- 23 25-4.111 Customer Complaints and Service Requests.
- 24 (1) ~~Each telephone utility shall make a full and prompt investigation of all complaints and service requests made~~
- 25 ~~by its customers, either directly to it or through the Commission and respond to the initiating party within fifteen~~

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1 ~~(15) days. The term "complaint" as used in this rule shall be construed to mean any oral or written report from a~~
2 ~~subscriber or user of telephone service relating to a physical defect, difficulty or dissatisfaction with the operation~~
3 ~~of telephone facilities, errors in billing or the quality of service rendered.~~

4 ~~(2) Arrangements shall be made by each telephone company to receive customer trouble reports twenty-four (24)~~
5 ~~hours daily and to clear trouble of an emergency nature at all hours, consistent with the bona fide needs of the~~
6 ~~customer and personal safety of utility personnel.~~

7 ~~(3) If the use of service by any subscriber interferes unreasonably with the necessary service of other customers,~~
8 ~~such subscribers may be required to take service in sufficient quantity or of a different class or grade.~~

9 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.051, 364.07, 364.19 FS. History—Revised
10 12-1-68, Amended 3-31-76, Repealed xx-xx-xx.

11
12 25-4.114 Refunds.

13 ~~(1) Applicability. With the exception of deposit refunds, all refunds ordered by the Commission shall be made in~~
14 ~~accordance with the provisions of this Rule, unless otherwise ordered by the Commission.~~

15 ~~(2) Timing of Refunds. Refunds must be made within ninety (90) days of the Commission's order unless a~~
16 ~~different time frame is prescribed by the Commission. Unless a stay has been requested in writing and granted by~~
17 ~~the Commission, a motion for reconsideration of an order requiring a refund will not delay the timing of the~~
18 ~~refund. In the event that a stay is granted pending reconsideration, the timing of the refund shall commence from~~
19 ~~the date of the order disposing of any motion for reconsideration. This Rule does not authorize any motion for~~
20 ~~reconsideration not otherwise authorized by Chapter 25-22, F.A.C.~~

21 ~~(3) Basis of Refund. Where the refund is the result of a specific rate change, including interim rate increases, and~~
22 ~~the refund can be computed on a per customer basis, that will be the basis of the refund. However, where the~~
23 ~~refund is not related to specific rate changes, such as a refund for overearnings, the refund shall be made to~~
24 ~~customers of record as of a date specified by the Commission. In such case, refunds shall be made on the basis of~~
25 ~~access lines. Per customer refund refers to a refund to every customer receiving service during the refund period.~~

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1 ~~Customer of record refund refers to a refund to every customer receiving service as of a date specified by the~~
2 ~~Commission.~~

3 ~~(4) Interest.~~

4 ~~(a) In the case of refunds which the Commission orders to be made with interest, the average monthly interest~~
5 ~~rate until the refund is posted to the customers account shall be based on the thirty (30) day commercial paper~~
6 ~~rate for high grade, unsecured notes sold through dealers by major corporations in multiples of \$1,000 as~~
7 ~~regularly published in the Wall Street Journal.~~

8 ~~(b) This average monthly interest rate shall be calculated for each month of the refund period:~~

9 ~~1. By adding the published interest rate in effect for the last business day of the month prior to each month of the~~
10 ~~refund period and the published rate in effect for the last business day of each month of the refund period divided~~
11 ~~by twenty four (24) to obtain the average monthly interest rate;~~

12 ~~2. The average monthly interest rate for the month prior to distribution shall be the same as the last calculated~~
13 ~~average monthly interest rate.~~

14 ~~(c) The average monthly interest rate shall be applied to the sum of the previous month's ending balance~~
15 ~~(including monthly interest accruals) and the current month's ending balance divided by two (2) to accomplish a~~
16 ~~compounding effect.~~

17 ~~(d) Interest Multiplier. When the refund is computed for each customer, an interest multiplier may be applied~~
18 ~~against the amount of each customer's refund in lieu of a monthly calculation of the interest for each customer.~~
19 ~~The interest multiplier shall be calculated by dividing the total amount refundable to all customers, including~~
20 ~~interest, by the total amount of the refund, excluding interest. For the purpose of calculating the interest~~
21 ~~multiplier, the utility may, upon approval by the Commission, estimate the monthly refundable amount.~~

22 ~~(e) Commission staff shall provide applicable interest rate figures and assistance in calculations under this Rule~~
23 ~~upon request of the affected utility.~~

24 ~~(5) Method of Refund Distribution. For those customers still on the system, a credit shall be made on the bill. In~~
25 ~~the event the refund is for a greater amount than the bill, the remainder of the credit shall be carried forward until~~

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1 the refund is completed. If the customer so requests, a check for any negative balance must be sent to the
2 customer within ten (10) days of the request.

3 For customers entitled to a refund but no longer on the system, the company shall mail a refund check to the last
4 known billing address except that no refund for less than \$1.00 will be made to these customers.

5 ~~(6) Security for Money Collected Subject to Refund. In the case of money being collected subject to refund, the~~
6 ~~money shall be secured by a bond unless the Commission specifically authorizes some other type of security such~~
7 ~~as placing the money in escrow, approving a corporate undertaking, or providing a letter of credit. The~~
8 ~~Commission may require the company to provide a report by the 10th of each month indicating the monthly and~~
9 ~~total amount of money subject to refund as of the end of the preceding month. The report shall also indicate the~~
10 ~~status of whatever security is being used to guarantee repayment of the money.~~

11 ~~(7) Refund Reports. During the processing of the refund, monthly reports on the status of the refund shall be~~
12 ~~made by the 10th of the following month. In addition, a preliminary report shall be made within thirty (30) days~~
13 ~~after the date the refund is completed and again 90 days thereafter. A final report shall be made after all~~
14 ~~administrative aspects of the refund are completed. The above reports shall specify the following:~~

15 ~~(a) The amount of money to be refunded and how that amount was computed;~~
16 ~~(b) The amount of money actually refunded;~~
17 ~~(c) The amount of any unclaimed refunds; and~~
18 ~~(d) The status of any unclaimed amounts.~~

19 ~~(8) With the last report under subsection (7) of this rule, the company shall suggest a method for disposing of any~~
20 ~~unclaimed amounts. The Commission shall then order a method of disposing of the unclaimed funds.~~

21 Rulemaking Authority 350.127(2) FS. Law Implemented 364.05(4), 364.055(2), 364.07, 364.08, 364.19 FS.
22 History—New 8-18-83, Repealed xx-xx-xx.

23
24 25-4.115 Directory Assistance.
25 There shall be no charge for directory assistance calls from lines or trunks serving individuals with disabilities.

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1 | ~~As used in this rule, "disability" means, with respect to an individual — A physical or mental impairment that~~
2 | ~~prohibits a customer from using the telephone directory.~~

3 | Rulemaking Authority 350.127 FS. Law Implemented 364.02, 364.025, 364.03, 364.04, 364.07, 364.08 FS.
4 | History—New 6-12-86, Amended 6-3-90, 5-31-93, 11-21-95, 5-8-05, 1-25-09, Repealed xx-xx-xx.

5 |
6 | 25-4.117 Toll Free Service.

7 | ~~Telephone companies are prohibited from billing to or collecting from the originating caller any charges for~~
8 | ~~intrastate calls to toll free numbers (e.g., 800, 866, 877, and 888).~~

9 | Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.04, 364.051 FS. History—New 3-5-90,
10 | Amended 1-25-09, Repealed xx-xx-xx.

11 |
12 | 25-4.202 Construction.

13 | ~~(1) The intent of this Part is to minimize the regulation of small LECs with respect to audits, investigations,~~
14 | ~~service standards, cost studies, periodic reports, evaluations, and discovery. Where the rules contained in this Part~~
15 | ~~conflict with other provisions in Chapter 25, F.A.C., the conflicting rules shall be construed so that the less~~
16 | ~~burdensome requirement will apply.~~

17 | ~~(2) When determining whether regulatory requirements should be imposed on small local exchange companies,~~
18 | ~~the Commission and its staff shall weigh the requirement's benefits against the cost of compliance by considering~~
19 | ~~factors such as the amount of data and resources available, the relative amount of precision needed, and whether~~
20 | ~~the use of outside consultants is necessary.~~

21 | Rulemaking Authority 350.127(2) FS. Law Implemented 364.052 FS. History—New 3-10-96, Amended 1-31-00,
22 | Repealed xx-xx-xx.

23 |
24 | 25-4.210 Service Evaluations and Investigations.

25 | ~~(1) Commission staff shall not conduct a service evaluation of a small local exchange company more frequently~~

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1 ~~than every four years unless there is a compelling reason to do so. Reasons sufficiently compelling to justify~~
2 ~~service evaluations on a more frequent basis include, but are not limited to, poor results on the most recent~~
3 ~~service evaluation, a material number of customer complaints received by the Commission against a small local~~
4 ~~exchange company, service quality deficiencies indicated by the service quality reports filed by the small local~~
5 ~~exchange company with the Commission, reports of significant rule violations affecting service by a small local~~
6 ~~exchange company, or a complaint from a county or city regarding violation of one of the Commission's service~~
7 ~~standards.~~

8 ~~(2) During the course of undocketed generic investigations involving issues of general applicability to all or a~~
9 ~~part of the telecommunications industry, the following shall apply:~~

10 ~~(a) Commission staff shall coordinate data requests to small local exchange companies and weigh the benefit that~~
11 ~~would be gained from the information against the cost of compliance to determine whether the information is~~
12 ~~needed.~~

13 ~~(b) Upon receipt of a Commission staff data request, a small local exchange company may request to decline to~~
14 ~~respond if the small local exchange company does not have responsive data that will materially contribute to the~~
15 ~~resolution of the issue under review, or where responding to the data request would be unduly costly or otherwise~~
16 ~~burdensome. In such event, the small local exchange company shall notify the staff within a reasonable time after~~
17 ~~receipt of the request and shall state the basis for requesting to not respond. Any dispute arising from a small~~
18 ~~local exchange company's notification under this subsection shall be resolved by the Director of the division~~
19 ~~issuing the data request or the Director's designee.~~

20 Rulemaking Authority 350.127(2) FS. Law Implemented 364.03, 364.052, 364.15, 364.18 FS. History—New 3-
21 10-96. Repealed xx-xx-xx.

22
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25

SUMMARY OF THE RULE

Rules 24-4.0185, 25-4.022, and 25.4.023 pertain to record and reporting requirements for local exchange telecommunication companies (LECs); Rules 25-4.0345, 25-4.036, 25-4.038, 25-4.040, and 25-4.041 pertain to management requirements for LECs; Rules 25-4.066, 25-4.070, 25-4.071, 25-4.072, 25-4.073, 25-4.074, 25-4.078, 25-4.079, 25-4.081, 25-4.084, and 25-4.085 pertain to service provisions for LECs; 25-4.088, 25-4.089, 25-4.090, 25-4.091, 25-4.092, 25-4.093, 25-4.094, 25-4.095, 25-4.096, and 25-4.097 pertain to telephone underground extension requirements for LECs; Rules 25-4.107, 25-4.109, 25-4.110, 25-4.111, 25-4.114, 25-4.115, and 25-4.117 pertain to customer relations requirements for LECs; and Rules 25-4.202 and 25-4.210 pertain to LEC service evaluations and investigations. Chapter No. 2011-36, Laws of Florida, effective July 1, 2011, amended the Commission's authority over telecommunications companies. These rules are being repealed because there is no longer statutory authority to implement the rules.

STATEMENT OF THE FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The 2011 Legislature repealed the statutory authority for these rules. Thus, these rules are being repealed.

SUMMARY OF THE HEARING ON THE RULE

No timely request for a hearing was received by the agency, and no hearing was held.

FILED
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