

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

IN RE: INITIATION OF RULEMAKING TO AMEND RULES IN CHAPTERS
25-4 AND 25-24, F.A.C., TO ADDRESS PUBLICATION OF
SERVICE SCHEDULES BY TELECOMMUNICATIONS COMPANIES

NOTICE OF PROPOSED RULE DEVELOPMENT

TO

ALL INTERESTED PERSONS

UNDOCKETED

ISSUED: March 16, 2010

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated rulemaking to amend telecommunications rules concerning tariff filings.

The attached Notices of Proposed Rule Development appeared in the March 5, 2010, edition of the Florida Administrative Weekly. A staff rule development workshop will be held at the following time and place:

Florida Public Service Commission
March 30, 2010 - 9:30 a.m.
Betty Easley Conference Center
Room 148, 4075 Esplanade Way
Tallahassee, Florida

A copy of the draft rules and the agenda for the workshop are attached. One or more Commissioners may be in attendance and participate in the workshop. The person to be contacted regarding the proposed rule development is Kathryn G.W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6216, kcowdery@psc.state.fl.us.

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 workshop. 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).

DOCUMENT NUMBER-DATE

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By DIRECTION of the Florida Public Service Commission this 16th day of March, 2010.



ANN COLE
Commission Clerk

(SEAL)

KC

Notice of Development of Rulemaking

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-4.034: Tariffs

PURPOSE AND EFFECT: This rule would be amended in order to change references to tariff filings to schedule publication in conformance with 2009 amendments to Section 364.04, F.S., and to make related rule changes. Undocketed.

SUBJECT AREA TO BE ADDRESSED: Public Service Commission regulated telecommunications companies.

SPECIFIC AUTHORITY: 350.127(2), FS

LAW IMPLEMENTED: 364.04, 364.051(5), 364.183, FS

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

DATE AND TIME: Tuesday, March 30, 2010 at 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL
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:

Kathryn G.W. Cowdery, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 323-0850, (850) 413-6216.

Notice of Development of Rulemaking

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-24.470: Registration Required

25-24.485: Tariffs

25-24.560: Terms and Definitions

25-24.620: Service Requirements for Companies Providing Operator Services

25-24.721: Tariffs Not Required

25-24.820: Revocation of a Certificate

25-24.825: Price List

25-24.830: Consumer Information

25-24.835: Rules Incorporated

25-24.915: Tariffs or Price Lists

25-24.920: Standards for Prepaid Calling Services and Consumer Disclosure

PURPOSE AND EFFECT: These rules would be amended in order to change references to tariff filings to schedule publication in conformance with 2009 amendments to Section 364.04, F.S., and to make related rule changes. Undocketed.

SUBJECT AREA TO BE ADDRESSED: Public Service Commission regulated telecommunications companies.

SPECIFIC AUTHORITY: 350.127(2), FS

LAW IMPLEMENTED: 364.01, 364.02, 364.03, 364.04, 364.051, 364.057, 364.08, 364.09, 364.10, 364.183, 364.19, 364.27, 364.33, 364.335, 364.337, 364.3381, 364.339, 364.345, FS, Chapter 95-403, Section 32, Laws of Florida.

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

DATE AND TIME: Tuesday, March 30, 2010 at 9:30 a.m.

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

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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:
Kathryn G.W. Cowdery, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6216.

AGENDA

**FLORIDA PUBLIC SERVICE COMMISSION
STAFF WORKSHOP
INITIATION OF RULEMAKING TO AMEND RULES IN
CHAPTERS 25-4 AND 25-24, F.A.C., TO ADDRESS PUBLICATION OF
SERVICE SCHEDULES BY TELECOMMUNICATIONS COMPANIES**

Undocketed

March 30, 2010

9:30 A.M.

**Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee Florida**

1. Opening Comments

2. Discussion of Draft Rules:

**Chapter 25-4, Telephone Companies
Part III, General Management Requirements
Rule No. 25-4.034, Tariffs;**

**Chapter 25-24, Telephone Companies
Part X, Rules Governing Interexchange Telecommunications Companies
Rule No. 25-24.470, Registration Required;
Rule No. 25-24.485, Tariffs;**

**Part XII, Shared Tenant Services
Rule No. 25-24.560, Terms and Definitions;**

**Part XIII Rules Governing Operator Services Providers
Rule No. 25-24.620, Service Requirements for Companies Providing
Operator Services;**

**Part XXIV, Rules Governing Alternative Access Vendor (AAV) Services
Rule No. 25-24.721 Tariffs Not Required;**

**Part XV, Rules Governing Telecommunications Service Provided by Alternative
Local Exchange Companies**

- Rule No. 25-24.820 Revocation of a Certificate;**
- Rule No. 25-24.825 Price List;**
- Rule No. 25-24.830 Consumer Information;**
- Rule No. 25-24.835 Rules Incorporated;**

Part XVI, Rules Governing Prepaid Calling Services

- Rule No. 25-24.915 Tariffs or Price Lists;**
- Rule No. 25-24.920 Standards for Prepaid Calling Services and Consumer
Disclosure.**

- 3. Any Other Matters for Discussion**
- 4. Discussion of Next Steps in this Rulemaking**
- 5. Adjourn**

1 **25-4.034 Service Schedules Tariffs.**

2 (1) Pursuant to Section 364.04, F.S., ~~Except to the extent otherwise permitted by~~
3 ~~Section 364.051(5)(a), F.S.,~~ each telecommunications company shall publish its Florida-
4 specific service schedules ~~maintain on file with the Commission~~ tariffs which shall set forth
5 all intrastate rates and charges for customer services, fees and surcharges, the classes and
6 grades of service available to subscribers, the conditions and circumstances under which
7 service will be furnished, and all general rules and regulations governing the relation of
8 customer and company. ~~The rates and charges for contract service arrangements for an~~
9 ~~individual customer need not be filed where the company's tariff provides a description of the~~
10 ~~circumstances under which such arrangements are offered for specified tariffed services.~~

11 (a) Service schedules shall be clearly written in simple words, sentences and
12 paragraphs, avoiding unnecessarily long, complicated or obscure phrases or acronyms so that
13 the customer is able to understand the services offered.

14 (b) Service schedules shall have a table of contents or index identifying the location of
15 the rates, fees and surcharges, terms and conditions for service.

16 (c) Service schedules shall fully define company-specific technical terms and
17 abbreviations.

18 (d) No public statement of service quality, rates, or service offerings or billings shall
19 be misleading or differ from the terms stated in the service schedules.

20 (e) If a company intends to temporarily bill lower rates or charges than is contained in
21 a published service schedule, the company shall publish a single service schedule change
22 reflecting the conditions of the temporary service. Such a service schedule provision shall
23 include the heading "Promotion," and shall state the name of the promotion, a specific
24 description of the scheduled service involved, including all applicable rates, benefits, terms,

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1 and conditions, and the beginning and ending dates of the promotion.

2 (f) Service schedules shall define a telecommunications company's service area(s) as
3 identified in its certificate of public convenience and necessity.

4 (g) Each telecommunications company shall make its retail service schedules available
5 for public inspection upon request.

6 (h) Notification of proposed changes to an existing nonbasic service schedule must be
7 received by the Division of Regulatory Analysis before 5:00 p.m. on a normal Commission
8 work day in order for the Commission to be noticed on that day and the changes to become
9 effective on the following day.

10 (i) Services schedules shall be current. Changes to the rates, surcharges, fees, or the
11 terms and conditions of the offered services, or the addition of new services shall be published
12 before taking effect.

13 (2) All published service schedules, whether filed with the Commission or published
14 through other reasonably publicly accessible means, including on a website, shall contain, at a
15 minimum:

16 (a) The name(s) used to market the service;

17 (b) A description of the service;

18 (c) The current rate(s) for the service, including all surcharges and fees;

19 (d) The service-specific terms and conditions, and

20 (e) The availability and effective date(s) for the service(s) and rate(s).

21 (3) Changes to service schedules shall be retained to permit a historical review of all
22 changes to the schedules for a period of six years and shall be made available to the
23 Commission upon request.

24 (4) Complete information concerning a company's service offerings, rates and charges,

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1 conditions of service, terms and conditions, service area, and subscribership information
2 identified by exchange shall be made available to Commission staff upon request.

3 (5) Each telecommunications company shall inform the Commission and its customers,
4 in writing, where its published service schedules may be viewed. The Commission shall be
5 notified at the address in 25-4.034(6), or electronically following the procedures set forth at
6 <http://www.psc.state.fl.us/utilities/telecomm/>. For existing customers, customer notification
7 shall be in the form of a prominent notice on the customer bill or other reasonable method and
8 shall be made once annually. New customers shall be informed upon application and
9 thereafter once annually in writing.

10 (62) If a telecommunications company chooses to publish its schedules by filing them
11 with the Commission, it shall file two copies of all new service schedules and proposed
12 changes to existing service schedules with the Director of the Division of Regulatory
13 Analysis, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee,
14 Florida 32399-0850, or it shall file electronically pursuant to the requirements set forth at
15 <http://www.psc.state.fl.us/utilities/telecomm/>. A filing must be received by the Division of
16 Regulatory Analysis before 5:00 p.m. on a normal Commission work day in order to be
17 considered filed on that day. Filing shall mean received by the office of the Division of
18 Regulatory Analysis during normal business hours. Any tariff received by the Division of
19 Regulatory Analysis after 5:00 p.m. shall be considered filed on the next regular business day.
20 All proposed changes to an existing tariff that are submitted by hard copy shall be directed to
21 the Director of the Division of Regulatory Analysis, Florida Public Service Commission, 2540
22 Shumard Oak Boulevard, Tallahassee, FL 32399-0850 and shall include an original and two
23 (2) copies of each revised tariff sheet. A letter of transmittal shall accompany each tariff
24 filing, which lists the included sheets, by sheet number and revision level as specified in

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1 ~~paragraphs (6)(c) (e), and gives a brief description of all changes.~~ If acknowledgment of
2 ~~receipt a hard copy filing is desired,~~ the letter of transmittal shall be sent in duplicate with a
3 request that the duplicate be returned and a postage paid envelope shall be provided for that
4 purpose.

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

9 (4) ~~Each telecommunications company shall make available for public inspection upon~~
10 ~~request, either a printed copy or an electronic copy of its retail schedules tariffs.~~

11 (5) ~~Companies shall charge only the rates and credits contained in their tariff. If a~~
12 ~~company intends desires to deviate temporarily from its normal tariffed rates and credits, the~~
13 ~~company shall publish file a single tariff change reflecting the conditions of the temporary~~
14 ~~tariff change. Such schedule tariff provision shall include the heading "Promotion," and shall~~
15 ~~state the name of the promotion, a specific description of the tariffed service(s) involved,~~
16 ~~including all applicable rates, terms, and conditions, and the beginning and ending dates of the~~
17 ~~promotion.~~

18 (76) Service schedules filed with the Commission Tariffs shall comply with the
19 following conventions:

20 (a) Each sheet shall have a left-hand margin of at least 3/4". All sheets and copies must
21 be clear and legible. Service schedules Tariffs ~~submitted in hard copy form~~ shall be in loose
22 leaf form on 8 1/2" × 11" sheets, typewritten on white paper, using one side of the paper only.

23 (b) Each sheet shall bear the name of the company, as certificated with the
24 Commission, ~~the name and title of the issuing officer,~~ and the effective date of the sheet.

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1 (c) Every sheet ~~in the tariff~~ shall be numbered.

2 (d) Each initially received ~~approved~~ sheet ~~in the tariff~~ shall be marked "Original Sheet"
3 in the upper right-hand corner of the sheet. ~~As an example: Original Sheet No. 4, or Original~~
4 ~~Sheet No. 5.2.~~

5 (e) Revised sheets ~~in the tariff~~ shall be marked with the number of the revision in the
6 upper right-hand corner and the number of the sheet it replaces. As an example:

7 First Revised Sheet No. 4

8 Cancels Original Sheet No. 4

9 (f) ~~The tariffs shall contain at a minimum the following:~~

10 1. ~~Table of Contents and Index. All tariffs shall have a table of contents identifying the~~
11 ~~page location of each section in the tariff. Each section shall also be individually indexed by~~
12 ~~subject.~~

13 2. Symbols Used in Service Schedule Tariff Filings. Symbols used in any proposed
14 change to the existing service schedule tariff shall appear on the right hand side of each sheet
15 on the same line(s) in which any change has been made. ~~If three or more consecutive lines are~~
16 ~~affected, one symbol shall be placed on the first and last lines with a vertical line connecting~~
17 ~~the two symbols. Two or more symbols shall be placed next to each other on any line with~~
18 ~~multiple types of changes. The symbol page shall identify and explain all symbols used in the~~
19 service schedule tariff.

20 3. ~~Technical Terms and Abbreviations. This section shall contain all technical and~~
21 ~~special terms and abbreviations used in the tariff.~~

22 (g7) With each filing, the company shall provide a coded copy of each service
23 schedule tariff sheet filed showing changes to the existing tariff sheet. Changes shall be
24 indicated by inserting and underlining new words; words to be deleted shall be lined through

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1 with hyphens.

2 Rulemaking Authority 350.127(2) FS. Law Implemented 364.04, 364.051(5), 364.183,
3 ~~364.163~~ FS. History–New 3-31-76, Amended 11-29-82, Formerly 25-4.34, Amended 9-13-88,
4 4-16-90, 3-10-96, 1-25-09.

5 **25-24.470 Registration Required.**

6 (1) No person shall provide intrastate interexchange telephone service without first
7 publishing its Florida-specific service schedules as required by Sec. 364.04, F.S., and filing an
8 ~~initial tariff containing the rates, terms, and conditions of service and providing the company's~~
9 ~~current contact information with the Office of Commission Clerk using Form PSC/RAD 31~~
10 ~~(xx/xx), entitled "IXC Registration Form" which is hereby incorporated into these rules. A~~
11 ~~copy of the form may be obtained from the Commission's website at~~
12 ~~www.floridapsc.com/utilities/telecomm/ or by contacting the Commission's Division of~~
13 ~~Regulatory Analysis.~~

14 (2) Publication of the company's service schedules ~~An original and two (2) copies of~~
15 ~~the company's initial tariff shall be filed. The tariff filing shall conform to the requirements of~~
16 ~~Rule 25-4.034(1)(a) – (e), (g) – (i) and (2) – (7)(a) – (f). If a company chooses the option of~~
17 ~~publishing its initial service schedules by filing them with the Commission, it shall file two~~
18 ~~copies by attaching them to the IXC Registration Form PSC/RAD 31, 25-24.485, F.A.C.~~

19 (3) ~~The company's contact information shall be provided using Form PSC/RAD 31~~
20 ~~(08/05), entitled "IXC Registration Form" which is hereby incorporated into these rules. A~~
21 ~~copy of the form may be obtained from the Commission's website at~~
22 ~~www.floridapsc.com/utilities/telecomm/ or by contacting the Commission's Division of~~
23 ~~Regulatory Compliancee.~~

24 (34) Each IXC shall file and update, within 10 days after any change, the following
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1 contact information with the Office of Commission Clerk:

2 (a) Official company name, including any fictitious names, as filed with the
3 Department of State, Division of Corporations; and

4 (b) Mailing address, including street name and address and post office box, city, state,
5 and zip code.

6 (c) Name, address, telephone number, and e-mail address and FAX number, where
7 applicable, of the individual who is to serve as primary liaison with the Commission in regard
8 to ongoing operations of the company within the state.

9 Rulemaking Authority 350.127(2) FS. Law Implemented 364.02, 364.04 FS. History--New 2-
10 23-87, Amended 8-25-05, 5-29-08.

11 **25-24.485 Service Schedules Tariffs.**

12 ~~(1) All initial tariffs filed as part of the registration process in Rule 25-24.470, F.A.C.,~~
13 ~~shall be filed with the Office of Commission Clerk, using the following guidelines, before~~
14 ~~becoming effective.~~

15 ~~(a) Each IXC shall publish its Florida-specific service schedules pursuant to Rule 25-~~
16 ~~4.034(1)(a) – (e), (g) – (i), and (2) – (7)(a)–(f), which shall set forth maintain on file with the~~
17 ~~Commission tariffs which set forth all of the rates and charges for customer services, the~~
18 ~~different services available to subscribers and the conditions and circumstances under which~~
19 ~~service will be furnished.~~

20 ~~(b) The tariff will be Florida-specific all intrastate rates and charges for customer~~
21 ~~services, fees and surcharges, the classes and grades of service available to subscribers, the~~
22 ~~conditions and circumstances under which service will be furnished, and all general rules and~~
23 ~~regulations governing the relation of customer and company, and all intrastate rates, charges,~~
24 ~~and service descriptions shall be for intrastate usage, unless interstate rates are necessary to~~

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1 ~~compute the intrastate portion of a customer's monthly bill; then, the interstate rates, charges,~~
2 ~~and service descriptions shall also be quoted in the tariff to the extent necessary to compute~~
3 ~~the intrastate portion of a customer's bill.~~

4 (c) ~~The tariff must be clearly expressed in simple words, sentences and paragraphs. It~~
5 ~~must avoid unnecessarily long, complicated or obscure phrases or acronyms so that the~~
6 ~~customer will understand that for which he is contracting.~~

7 (d) ~~No public statement of service quality, rates, or service offerings or billings should~~
8 ~~be misleading or differ from those stated in the tariff.~~

9 (e) ~~All proposed changes to an existing tariff shall be directed to the Director of the~~
10 ~~Division of Regulatory Analysis, Florida Public Service Commission, 2540 Shumard Oak~~
11 ~~Boulevard, Tallahassee, FL 32399-0850. A filing must be received by the Division of~~
12 ~~Regulatory Analysis before 5:00 p.m. of a normal Commission workday in order for it to be~~
13 ~~"filed" on that day.~~

14 (f) ~~All tariff changes shall be submitted to the Division of Regulatory Analysis in~~
15 ~~triplicate in the form prescribed herein. If acknowledgement of the filing at the time of receipt~~
16 ~~is desired, the letter of transmittal shall be sent in duplicate with a request that the duplicate be~~
17 ~~returned.~~

18 (g) ~~Companies shall charge only the rates contained in their tariff. If a company desires~~
19 ~~to charge rates or charges at a lower level than is contained in an existing tariff and wishes to~~
20 ~~charge those lower rates only temporarily file a single tariff change reflecting the conditions of~~
21 ~~the temporary tariff change. Such tariff provision shall include the heading "Promotion," and~~
22 ~~shall state the name of the promotion, a specific description of the tariffed service involved,~~
23 ~~including all applicable rates, terms, and conditions, and the beginning and ending dates of the~~
24 ~~reduction.~~

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1 ~~(h) The requirements of the following subsections shall apply on a prospective basis~~
2 ~~from the effective date of this rule. Existing tariffs on the effective date of this rule need not be~~
3 ~~amended to comply with the following except upon Commission staff request.~~

4 ~~(2) The initial tariff will become effective on the date of the company's registration~~
5 ~~pursuant to Rule 25-24.470, F.A.C. Changes to an existing tariff will become effective on the~~
6 ~~day following the day it is filed with the Division of Regulatory Analysis unless the company~~
7 ~~requests a later effective date.~~

8 ~~(3) Tariffs shall comply with the following format requirements:~~

9 ~~(a) All tariffs shall be submitted in loose leaf form on 8 1/2" x 11" sheets, typewritten~~
10 ~~on a good grade of white paper of durable quality, using one side of the paper only. All copies~~
11 ~~must be clear and legible. Sufficient margin shall be allowed on each sheet for a left hand~~
12 ~~binding edge so that when the tariff book is open all printed matter will be in view.~~

13 ~~(b) Every sheet in the tariff shall be numbered.~~

14 ~~(c) Each sheet shall bear the name of the company, as registered with the Commission,~~
15 ~~in the upper left hand corner of the sheet.~~

16 ~~(d) Each initially approved sheet in the tariff shall be marked "Original Sheet" in the~~
17 ~~upper right hand corner of the sheet. As an example: Original Sheet No. 1, or Original Sheet~~
18 ~~No. 5.2.~~

19 ~~(e) Revised sheets in the tariff shall be marked with the number of the revision in the~~
20 ~~upper right hand corner and the number of the sheet(s) it replaces. As an example:~~

21 ~~First Revised Sheet No. 1~~

22 ~~Cancels Original Sheet No. 1~~

23 ~~or~~

24 ~~Fourth Revised Sheet No. 5.2~~

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1 ~~Cancels Third Revised Sheet No. 5.2~~

2 ~~(f) The name and title of the issuing officer shall be placed at the bottom of each sheet.~~

3 ~~To the right of the issuing officer's name there shall appear "Effective: 8-25-05."~~

4 ~~(g) The tariffs shall contain the following:~~

5 ~~1. Title Page. The title page shall contain a brief description of the tariff and the~~
6 ~~services offered therein.~~

7 ~~2. Table of Contents or Index. All tariffs shall have a table of contents identifying the~~
8 ~~page location of each section in the tariff. In tariffs of 30 sheets or more, each subsection shall~~
9 ~~also be individually indexed by subject.~~

10 ~~3. Symbols Used in Tariff Filings. Symbols used in any proposed change to the~~
11 ~~existing tariff shall appear in the right hand margin of each sheet on the same line(s) in which~~
12 ~~any change has been made. If three or more consecutive lines are affected, one symbol shall~~
13 ~~be placed on the first and last lines with a vertical line connecting the two symbols. Two or~~
14 ~~more symbols may be placed next to each other on the affected line. The symbol page shall~~
15 ~~identify all symbols used in the tariff.~~

16 ~~4. Technical Terms and Abbreviations. This section shall contain all technical and~~
17 ~~special terms and abbreviations used in the tariff.~~

18 ~~5. Rules and Regulations. This section shall include all rules, regulations, practices,~~
19 ~~exceptions and conditions which are general and apply to all or many of the services offered.~~
20 ~~If a general regulation does not apply to a particular service, that fact should be clearly stated.~~

21 ~~6. Description of Services Offered. This section shall describe all services available to~~
22 ~~end users in Florida.~~

23 ~~7. Rates. All rates and charges for all services, and other data necessary to compute the~~
24 ~~customers' bills for intrastate service shall be placed in this section.~~

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from existing law.

1 (4) Information to Accompany Tariff Filings.

2 (a) ~~A letter of transmittal shall accompany each filing, which lists the sheets (by sheet~~
3 ~~number and revision level) being transmitted and gives a brief description of all changes.~~

4 (b) ~~Along with each tariff filing the company shall include three (3) copies of the tariff~~
5 ~~pages which contain proposed changes as they will appear in the approved tariff.~~

6 Rulemaking Authority 350.127(2) FS. Law Implemented 364.04, 364.051, 364.08, 364.183,
7 364.3381 FS. History--New 2-23-87, Amended 11-19-89, 11-21-95, 3-13-96, 8-25-05.

8 **25-24.560 Terms and Definitions.**

9 For purposes of ~~this~~ Part XII, Shared Tenant Services, Rules 25-24.555 through 25-24.585,
10 F.A.C., the definitions for the following terms apply:

11 (1) "Alternative Access Vendor" (AAV) means any telecommunications company, as
12 defined in Section 364.337(6)(a), Florida Statutes.

13 (2) "Agent" means one authorized to act on behalf of another.

14 (3) "Competitive local exchange telecommunications company" (CLEC) means any
15 company as defined in Section 364.02(51), Florida Statutes.

16 (4) "Company" means a shared tenant service company.

17 (5) "Interexchange Company" (IXC) means any telecommunications company, as
18 defined in Section 364.02(146), Florida Statutes, which provides telecommunication service
19 between exchange areas as those areas are described in the approved tariffs of individual local
20 exchange companies.

21 (6) "Local Exchange Telecommunications Company" (LEC) means any
22 telecommunications company, as defined in Section 364.02(86), Florida Statutes.

23 (7) "Local Service Area" or "Local Calling Area" means the area within which
24 telecommunications service is furnished to subscribers under a specific schedule of exchange

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1 rates and within which calls may be completed without toll charges. A local service area may
2 include one or more exchange areas or portions of exchange areas.

3 (8) "Pay telephone service company" means any telecommunications company, as
4 defined in Section 364.02(146), Florida Statutes, other than a Local Exchange Company,
5 which provides pay telephone service as defined in Section 364.335(3), Florida Statutes.

6 (9) "Private Branch Exchange" (PBX) means a system in which trunk lines connect a
7 telephone company central office to a switching system which directs incoming calls to the
8 appropriate user.

9 (10) "Shared tenant service" (STS) as defined in Section 364.339(1), Florida Statutes,
10 means the provision of service which duplicates or competes with local service provided by an
11 existing local exchange telecommunications company and is furnished through a common
12 switching or billing arrangement to tenants by an entity other than an existing local exchange
13 telecommunications company.

14 (11) "Tenant" means any person entitled to occupy a premises under a rental or lease
15 agreement.

16 (12) "Unaffiliated Entities" means those corporations, partnerships, proprietorships, or
17 other groups that control less than 50 percent of the stock of the entity which claims to be
18 affiliated.

19 ~~Rulemaking-Specific~~ Authority 350.127(2) FS. Law Implemented 364.33, 364.335,
20 364.337(6), 364.339 FS. History—New 1-28-91, Amended 7-29-97.

21 **25-24.620 Service Requirements for Companies Providing Operator Services.**

22 (1) Every company providing operator services shall clearly state the name of the
23 company upon answer and again after accepting billing information before the call is
24 connected.

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

1 (2) In its service schedules tariffs for and contracts with billing and collection agents
2 and other companies providing operator services, every company providing operator services
3 shall require the other party to:

4 (a) Allow end-users to access, at no charge, all locally available interexchange
5 companies via all locally available methods of access, such as 10XXX, 10XXXX, 101XXXX,
6 950, and toll-free access codes, such as 800, 877, and 888; except that Feature Group A
7 (seven-digit local number) access lines are exempt from this requirement;

8 (b) Allow end users to access the universal telephone number "911", where operable,
9 at no charge to the end-user, and where not operable, to allow end-users to access the operator
10 of the provider of local exchange telecommunications services at no charge;

11 (c) Route all end user dialed 0+ local and all 0- calls to the provider of local exchange
12 telecommunications services unless the end user dials the appropriate access code for his
13 carrier of choice, such as 950, 800, 877, 888, 10XXXX, 101XXXX, or 10XXX; and

14 (d) Route all end user dialed 1+ and 0+ toll calls to the preselected carrier unless the
15 end user dials the appropriate access code for his carrier of choice, such as 950, 800, 877, 888,
16 or 10XXXX, 101XXX, or 10XXX; and

17 (e) Route all end user dialed 0- calls to the operator of the provider of local exchange
18 telecommunications services at no charge to the end user when no additional digits are dialed
19 after five seconds.

20 (3) Each operator services provider shall provide an opportunity for each caller to be
21 identified by name to the called party before any collect calls may be completed.

22 Rulemaking Specific Authority 350.127(2) FS. Law Implemented ~~364.04364.01~~, 364.3376
23 FS. History--New 9-6-93, Amended 1-16-96, 9-10-97, 2-1-99.

24 **25-24.721 Service Schedules Tariffs Not Required.**

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

1 Alternative Access Vendors are not required to file Service Schedules Tariffs.
2 Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.337 FS. History--New
3 1-8-95.

4 **25-24.820 Revocation of a Certificate.**

5 (1) The Commission may on its own motion, after notice and opportunity for hearing,
6 revoke a company's certificate for any of the following reasons:

- 7 (a) Violation of a term or condition under which the authority was originally granted;
8 (b) Violation of Commission rule or order;
9 (c) Violation of Florida Statute; or
10 (d) Violation of a service schedule price list standard.

11 (2) If a certificated company desires to cancel its certificate, it shall request
12 cancellation from the Commission in writing and shall provide the following with its request.
13 Cancellation of a certificate shall be ordered subject to the holder providing the required
14 information.

- 15 (a) A statement of intent and date certain to pay regulatory assessment fee.
16 (b) A statement of why the certificate is proposed to be cancelled.
17 (c) A statement as to how customer deposits and final bills will be handled.
18 (d) Proof of individual customer notice regarding discontinuance of service.

19 Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.345 FS. History--New
20 12-27-95.

21 **25-24.825 Service Schedules Price List.**

22 (1) Prior to providing service, each telecommunications company subject to these rules
23 shall publish its Florida-specific service schedules ~~file and maintain with the Commission a~~
24 ~~current price list~~ which shall clearly sets forth the following information for the provision of

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from existing law.

1 ~~residential dial tone, single-line business dial tone, and dial tone with any combination of the~~
2 ~~services included as part of basic local telecommunications services, as defined in Section~~
3 ~~364.02(2), F.S.: If residential dial tone, single-line business dial tone, or dial tone with any~~
4 ~~combination of the services included as part of basic local telecommunications service is~~
5 ~~offered on a package basis, the following information must be provided for each package:~~

6 (a) Current prices,

7 (b) Customer connection charges,

8 (c) Billing and payment arrangements, and

9 (d) Levels of service quality which the company holds itself out to provide for each
10 service.

11 ~~(2) At the company's option, price list information in subsection (1) above and other~~
12 ~~information concerning the terms and conditions of service may be filed for services other~~
13 ~~than basic local telecommunication services.~~

14 ~~(3) A price list revision must be physically received by the Commission's Division of~~
15 ~~Regulatory Analysis at least one day prior to its effective date.~~

16 ~~(4) Price lists must be on 8 1/2 by 11 inch paper in loose leaf form and must utilize an~~
17 ~~ongoing page identification system which will allow for the identification of inserted and~~
18 ~~removed pages. The color of paper on which price lists are filed must be amenable to being~~
19 ~~clearly photocopied on standard photocopy equipment.~~

20 ~~(5) Complete information concerning a company's service offerings, rates and charges,~~
21 ~~conditions of service, service quality, terms and conditions, service area, and subscribership~~
22 ~~information identified by local exchange company exchange must be made available to~~
23 ~~Commission staff upon request.~~

24 Rulemaking Authority 350.127(2) FS. Law Implemented 364.04, 364.337(5) FS. History—

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from existing law.

1 New 12-27-95, Amended 4-8-98.

2 **25-24.830 Consumer Information.**

3 (1) The quality of service information in paragraph (1)(d) of Rule 25-24.825, F.A.C.,
4 shall be provided, verbally or in writing, upon request to any person inquiring about the
5 company's basic local exchange telecommunications service. In addition, the above
6 information shall be provided in writing before or in the basic local exchange
7 telecommunications customer's first bill for service. The above information shall be expressed
8 in simple words, sentences, and paragraphs. Unnecessarily long, complicated, or obscure
9 phrases or acronyms must be avoided.

10 (2) If a CLEC elects not to provide any third-party billing or collect call services to its
11 customers, the CLEC shall so state in its service schedule ~~price list~~ and shall notify customers
12 of such prior to a customer agreeing to obtain local service from the CLEC. In addition, the
13 above information shall be provided in writing before or in the basic local exchange
14 telecommunications customer's first bill for service. The above information shall be expressed
15 in simple words, sentences, and paragraphs. Unnecessarily long, complicated, or obscure
16 phrases or acronyms must be avoided.

17 Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.337(5) FS., Ch. 95-403,
18 § 32, L.O.F. History—New 12-27-95, Amended 4-7-03.

19 **25-24.835 Rules Incorporated.**

20 (1) The following rules are incorporated herein by reference and apply to competitive local
21 exchange companies.

22 <u>Section</u>	<u>Title</u>	<u>Portions</u>
		<u>Applicable</u>

24

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1	25-4.0161	Regulatory Assessment Fees	All
2	25-4.020	Location and Preservation of Records	(2) (3)
3	25-4.043	Response to Commission Staff Inquiries	All
4	<u>25-4.034</u>	<u>Service Schedules Tariffs</u>	<u>(1)(a) – (e), (g) –</u>
5			<u>(i) and (2) –</u>
6			<u>(7)(a) – (f)</u>
7	25-4.036	Design and Construction of Plant	All
8	25-4.038	Safety	All
9	<u>25-4.043</u>	<u>Response to Commission Staff Inquiries</u>	<u>All</u>
10	25-4.160	Operation of Telecommunications Relay	All
11		Service	

12 (2) Each company shall file updated information for the following items with the
13 Office of Commission Clerk within 10 days after any changes to the following:

14 (a) The address of the certificate holder's main corporate and Florida offices (if any)
15 including street name and address and post office box, city, state and zip code; or

16 (b) Telephone number, name, and address of the individual who is to serve as primary
17 liaison with the Commission in regard to the ongoing Florida operations of the certificated
18 company.

19 Rulemaking Specific Authority 350.127(2), 364.337(2), 427.704(8) FS. Law Implemented
20 364.016, 364.183, 364.336, 364.337(2) FS. History–New 12-27-95, Amended 4-8-98, 6-24-
21 99, 8-25-05.

22 **25-24.915 Service Schedules Tariffs or Price Lists.**

23 (1) This section applies to all companies as defined in subsection 25-24.905(1), F.A.C.

24 (2) Each company shall file a service schedule tariff or price list for PPCS.

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from existing law.

1 (3) Each company shall include in its service schedule ~~tariff or price list~~ the following
2 information:

3 (a) Maximum amount a person will be charged per billing increment for PPCS, and

4 (b) Any applicable surcharges or other fees assessed in addition to the billing
5 increment that reduces the value of the card.

6 Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.04, 364.051, 364.057,
7 364.08, 364.09, 364.10, 364.19, 364.27, 364.337 FS. History—New 3-26-98, Amended 8-25-
8 05.

9 **25-24.920 Standards for Prepaid Calling Services and Consumer Disclosure.**

10 (1) The following information shall be legibly printed on the card:

11 (a) The Florida certificated or registered name, or “doing business as” name as
12 provided for by Rule 25-24.910, F.A.C., clearly identified as the provider of the PPCS;

13 (b) Toll-free customer service number;

14 (c) Toll-free network access number; and

15 (d) Authorization code, if required to access service.

16 (2) Each company shall provide the following information legibly printed either on the
17 card, packaging, or display visibly in a prominent area at the point of sale of the PPCS in such
18 a manner that the consumer may make an informed decision prior to purchase:

19 (a) Maximum charge per billing increment for PPCS;

20 (b) Any applicable surcharges or other fees assessed in addition to the billing
21 increment that reduces the value of the card; and

22 (c) Expiration policy, if applicable.

23 The company must insure by contract with its retailers or distributors that the information is
24 provided to the consumer.

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from existing law.

1 (3) Each company shall provide through its customer service number the following
2 information:

3 (a) Certificate or registration number;

4 (b) Rates and surcharges;

5 (c) Balance of use in account; and

6 (d) Expiration date or period, if any.

7 (4) Each company shall provide a live operator to answer incoming calls 24 hours a
8 day, 7 days a week or shall electronically voice record end user complaints. A combination of
9 live operators or recorders may be used. If a recorder is used, the company shall attempt to
10 contact each complainant no later than the next business day following the date of the
11 recording.

12 (5) The rates displayed in accord with subsection (2) above shall be no more than those
13 reflected in the service schedule ~~tariff or price list~~ for PPCS.

14 (6) A company shall not reduce the value of a card by more than the charges printed on
15 the card, packaging, or visible display at the point of sale. The service may, however, be
16 recharged by the consumer at a rate higher than the rate at initial purchase or last recharge.
17 The higher rate and surcharges shall be no more than the rates and surcharges in the service
18 schedule ~~tariff or price list~~ and the consumer shall be informed of the higher charges at the
19 time of recharge.

20 (7) Cards without a specific expiration period printed on the card, and with a balance
21 of service remaining, shall be considered active for a minimum of one year from the date of
22 first use, or if recharged, from the date of the last recharge.

23 (8) If PPCS are sold without a card or printed material, ~~tariffed~~ charges and surcharges
24 as shown on the service schedule shall be disclosed at the point of sale.

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1 Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.01, 364.02, 364.03,
2 364.04, 364.19 FS. History—New 3-26-98, Amended 8-25-05.

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