

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

DATE: July 7, 2005

TO: Director, Division of the Commission Clerk & Administrative Services (Bayó)

FROM: Office of the General Counsel (Moore)
Division of Competitive Markets & Enforcement (Bulecza-Banks, Cordiano, Moses)

RE: Docket No. 050421-TL – Petition by Florida Alliance of Information and Referral Services to initiate rulemaking to require local exchange telecommunications companies to include 211 information on inside cover of telephone directories.

AGENDA: 07/19/05 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Bradley

CRITICAL DATES: 30 day statutory deadline - July 21, 2005.

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\GCL\WP\050421.RCM.DOC

Case Background

On June 21, 2005, the Florida Alliance of Information and Referral Services (“the Alliance”) filed a Petition to Initiate Rulemaking with the Commission. The Alliance proposes a modification to Rule 25-4.040(3)(b), Florida Administrative Code, which requires local exchange telecommunications companies to publish a telephone directory and specifying that the directory contain certain information. The Alliance asks the Commission to require the companies to include instructions about 211 service on the inside front cover of the directories for exchanges with 211 service. The Federal Communications Commission requires that the 211 number be made available as the dialing code for access to community information and referral for health and human services.

Pursuant to subsection 120.54(7), Florida Statutes, the Commission must act on the Petition within 30 days of its filing. The 30 day period ends on July 21, 2005.

Discussion of Issues

Issue 1: Should the Commission grant the Florida Alliance of Information and Referral Services' Petition to Initiate Rulemaking to amend Rule 25-4.040(3)(b), Florida Administrative Code?

Recommendation: Yes, the Commission should grant the Petition in part. A rule development workshop should be held before the Commission decides whether to amend the rule in the form requested by the petitioner. (Moore, Bulecza-Banks, Cordiano, Moses)

Analysis: The Florida Alliance of Information and Referral Services asks that Rule 25-4.040(3)(b) be amended by adding the following underlined language:

25-4.040 Telephone Directories; Directory Assistance.

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

4. "211" instructions for exchanges with "211" services, including a short description of "211".

Staff needs additional information before it can adequately analyze the Alliance's proposal. For example, the proposal recognizes that not all exchanges have "211" service. It does not explain, however, how the directory, which usually covers many different exchanges—some with and some without 211 service—will differentiate which exchanges have 211 service and what it is for. In addition, there are other N11 codes in addition to 211 and 911 (required by section 365.171, Florida Statutes, to be listed on each directory's inside cover) that should be considered at the same time as the Alliance's request.

If the Commission follows staff's recommendation, then a Notice of Rule Development will be issued and a workshop will be held. This will give staff an opportunity to collect information from the Alliance and from local exchange companies that is needed to evaluate the proposed change.

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Issue 2: Should this docket be closed?

Recommendation: No. (Moore)

Analysis: If the Commission accepts Staff's recommendation to grant the City's Petition to Initiate Rulemaking, this docket should remain open.