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August 31, 2009

Beth Salak, Director
Competitive Markets and Enforcement
Florida Public Service Commission
Attn: Tariff Section
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Dear Ms. Salak:

Pursuant to Florida Statute 364.051, attached for filing with the Commission are the following pages of the General Subscriber Service Tariff and the Private Line Services Tariff:

General Subscriber Service Tariff

Section A2 - Fifteenth Revised Page 19

Private Line Services Tariff

Section B2 - First Revised Page 15

The purpose of this filing is to establish tariff verbiage that provides for customer responsibilities related to fees associated with collection efforts. The effective date of this tariff modification is September 1, 2009.

Acknowledgement, date of receipt and authority number of this filing is requested.

Your consideration and approval will be appreciated.

Yours very truly,

Jerry D. Hendrix (slg)

Regulatory Vice President

Attachments

EXECUTIVE SUMMARY

Description of Proposed Tariff

The purpose of this General Subscriber Service Tariff and Private Line Services Tariff filing is to establish tariff verbiage that states when a customer may be held responsible for fees associated with collection efforts for unpaid balances. When some or all of a Customer's services have been disconnected in accordance with the tariff, and have been terminated through the completion of a Company service order, the Customer may be held responsible for fees associated with collection efforts, including attorneys' fees.

Estimated Revenue Impact

This filing has no revenue impact.

A2. GENERAL REGULATIONS

A2.4 Payment Arrangements and Credit Allowances (Cont'd)

A2.4.3 Payment for Service (Cont'd)

- C. A Late Payment Charge of five dollars and fifty cents (\$5.50) for residence subscribers and a Late Payment Charge of fifteen dollars (\$15.00) for business subscribers will be applied to each subscriber's bill, (including amounts billed in accordance with the Company's Billing and Collections Services Tariff) when the previous month's bill has not been paid in full prior to the next billing date. (E)
- This Tariff shall apply to federal and state government pursuant to existing statutes applicable to those governmental entities. The Late Payment Charge for Federal Government customers will be in compliance with the Federal Acquisition Regulations Clause 52.232-25 – Prompt Payment.
- D. Should service be suspended for nonpayment of charges, it will be restored upon payment of the Line Change Charge applicable for restoration of service as provided in Section A4. of this Tariff.
- E. When the service has been disconnected for nonpayment, the service agreement is considered to have been terminated. Reestablishment of service may be made only upon the execution of a new service agreement which is subject to the provisions of this Tariff. When some or all of a Customer's services have been disconnected in accordance with this tariff, and have been terminated through the completion of a Company service order, the Customer may be held responsible for fees associated with collection efforts, including attorneys' fees. (C)
- F. In its discretion, the Company may restore or reestablish service which has been suspended or disconnected for nonpayment of charges, or otherwise discontinued, terminated or interrupted, prior to payment of all charges due. Such restoration or reestablishment shall not be construed as a waiver of any rights to suspend or disconnect service for nonpayment of any such or other charges due and unpaid or for the violation of the provisions of this Tariff; nor shall the failure to suspend or disconnect service for nonpayment of any past due account or accounts operate as a waiver or estoppel to suspend or disconnect service for nonpayment of such account or of any other past due account.
- G. Bills for service shall not be considered delinquent prior to the expiration of fifteen (15) days from the date of mailing or delivery by the Company. However, the Company may demand immediate payment under the following circumstances:
1. Where service is terminated or abandoned.
 2. Where toll service is two (2) times greater than the subscriber's average usage as reflected on the monthly bills for the three (3) months prior to the current bill or, in the case of a new customer who has been receiving service for less than four (4) months, where the toll service is twice the estimated monthly toll service.
 3. Where the Company has reason to believe that a business subscriber is about to go out of business or that bankruptcy is imminent for that subscriber.
- H. Toll Credit Limit (TCL)
- Toll Credit Limit (TCL) is an interim phase of toll denial in lieu of local service denial. It offers subscribers the option of toll restriction while paying a deposit or an overdue bill balance on an installment basis.
1. The Toll Credit Limit process shall apply for subscribers requesting new service with no outstanding bill balance, subscribers requesting new service with unpaid balances from previous service, and for existing subscribers with overdue outstanding charges.
 - a. New Service With No Outstanding Charges For Previous Service
- When the Company deems it necessary for a subscriber requesting new service to pay a deposit and the subscriber is unable to pay the deposit in full, the subscriber may be allowed to pay the deposit in up to four (4) installments if the subscriber agrees to a full toll restriction of the service, at no charge, until the deposit is paid in full.
- An arrangement may be made to waive the deposit if the subscriber chooses to have a full toll restriction on the requested service until satisfactory credit has been established.
- b. New Service With Outstanding Charges For Previous Service
- Residence subscribers requesting new service who have outstanding charges from previous service with the Company, which have not yet been referred to an outside collection agency, will be allowed to select full toll restriction of the service until the charges are paid in full. These subscribers can make arrangements to pay the charges in up to four (4) installments.

B2. REGULATIONS⁴

(T)(N)

B2.4 Payment Arrangements and Credit Allowances (Cont'd)

B2.4.2 Cancellation for Cause

- A. The Company by written notice to the customer may immediately discontinue the furnishing of private line service without incurring any liability upon:
 - 1. Nonpayment of any sum due the Company, or,
 - 2. A violation of any condition governing the furnishing of service.
- B. When some or all of a Customer's services have been discontinued in accordance with this tariff, and have been terminated through the completion of a Company service order, the Customer may be held responsible for fees associated with collection efforts, including attorneys' fees. (N)

B2.4.3 Minimum Service Period and Fractional Rates and Charges

- A. The minimum period for which service is furnished is one month unless otherwise specified, except when the cost of special construction is such as to necessitate a longer contract period or where basic termination charges apply. The minimum period for SMARTRingSM service is twelve months. (T)
- B. When monthly rates are specified, the minimum charge will be for one month. If the period of use exceeds one month, the charges for the fractional part of a month following and consecutive with a full month will be a part of the monthly charge based on the proportion that the actual number of days service is furnished bears to 30 days.
- C. When rates involve a fraction of a cent, the fraction is carried throughout the computation of charge. When the computed charge includes a fraction of a cent, fractions of one-half cent or more are treated as one cent and fractions of less than one-half cent are disregarded.

B2.4.4 Cancellation of Application for Service

- A. Where the applicant cancels an application for service prior to the start of special construction of facilities, no charge applies.
- B. Where special construction of facilities has been started prior to the cancellation and to the extent there is another requirement for the specially constructed facilities, no charge applies.
- C. Where special construction of facilities has been started prior to the cancellation, and there is no other requirement for the specially constructed facilities, a charge equal to the costs incurred in the special construction, less net salvage, applies, except that, where one or more, but not all, of the services involved in the special construction are cancelled, a charge equal to the charge for discontinuance of such services applies instead. Such charge is determined as set forth in Section B5. In determining the charge, each cancelled service is treated as discontinued as of the date on which it was to have been placed in service.
- D. Special construction of facilities for a customer is considered to have started when the Company incurs any expense in connection therewith or in preparation therefor² which would not otherwise have been incurred, provided: (T)
 - 1. The customer has advised the Company to proceed with the special construction, and
 - 2. The Company has advised the customer that, in accordance with his order, it is commencing the special construction.

~~Note 1: Text is shown as new due to reissue of all Tariff Sections. No changes in rates or regulations were made with this filing.~~

A2. GENERAL REGULATIONS

A2.4 Payment Arrangements and Credit Allowances (Cont'd)

A2.4.3 Payment for Service (Cont'd)

- C. A Late Payment Charge of five dollars and fifty cents (\$5.50) for residence subscribers and a Late Payment Charge of fifteen dollars (\$15.00) for business subscribers will be applied to each subscriber's bill, (including amounts billed in accordance with the Company's Billing and Collections Services Tariff) when the previous month's bill has not been paid in full prior to the next billing date.
- This Tariff shall apply to federal and state government pursuant to existing statutes applicable to those governmental entities. The Late Payment Charge for Federal Government customers will be in compliance with the Federal Acquisition Regulations Clause 52.232-25 – Prompt Payment.
- D. Should service be suspended for nonpayment of charges, it will be restored upon payment of the Line Change Charge applicable for restoration of service as provided in Section A4. of this Tariff.
- E. When the service has been disconnected for nonpayment, the service agreement is considered to have been terminated. Reestablishment of service may be made only upon the execution of a new service agreement which is subject to the provisions of this Tariff. ***When some or all of a Customer's services have been disconnected in accordance with this tariff, and have been terminated through the completion of a Company service order, the Customer may be held responsible for fees associated with collection efforts, including attorneys' fees.*** (C)
- F. In its discretion, the Company may restore or reestablish service which has been suspended or disconnected for nonpayment of charges, or otherwise discontinued, terminated or interrupted, prior to payment of all charges due. Such restoration or reestablishment shall not be construed as a waiver of any rights to suspend or disconnect service for nonpayment of any such or other charges due and unpaid or for the violation of the provisions of this Tariff; nor shall the failure to suspend or disconnect service for nonpayment of any past due account or accounts operate as a waiver or estoppel to suspend or disconnect service for nonpayment of such account or of any other past due account.
- G. Bills for service shall not be considered delinquent prior to the expiration of fifteen (15) days from the date of mailing or delivery by the Company. However, the Company may demand immediate payment under the following circumstances:
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1. The Toll Credit Limit process shall apply for subscribers requesting new service with no outstanding bill balance, subscribers requesting new service with unpaid balances from previous service, and for existing subscribers with overdue outstanding charges.
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An arrangement may be made to waive the deposit if the subscriber chooses to have a full toll restriction on the requested service until satisfactory credit has been established.
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B2. REGULATIONS (T)

B2.4 Payment Arrangements and Credit Allowances (Cont'd)

B2.4.2 Cancellation for Cause

- A. The Company by written notice to the customer may immediately discontinue the furnishing of private line service without incurring any liability upon:
 - 1. Nonpayment of any sum due the Company, or,
 - 2. A violation of any condition governing the furnishing of service.
- B. When some or all of a Customer's services have been discontinued in accordance with this tariff, and have been terminated through the completion of a Company service order, the Customer may be held responsible for fees associated with collection efforts, including attorneys' fees. (N)

B2.4.3 Minimum Service Period and Fractional Rates and Charges

- A. The minimum period for which service is furnished is one month unless otherwise specified, except when the cost of special construction is such as to necessitate a longer contract period or where basic termination charges apply. The minimum period for SMARTRing service is twelve months. (T)
- B. When monthly rates are specified, the minimum charge will be for one month. If the period of use exceeds one month, the charges for the fractional part of a month following and consecutive with a full month will be a part of the monthly charge based on the proportion that the actual number of days service is furnished bears to 30 days.
- C. When rates involve a fraction of a cent, the fraction is carried throughout the computation of charge. When the computed charge includes a fraction of a cent, fractions of one-half cent or more are treated as one cent and fractions of less than one-half cent are disregarded.

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- A. Where the applicant cancels an application for service prior to the start of special construction of facilities, no charge applies.
- B. Where special construction of facilities has been started prior to the cancellation and to the extent there is another requirement for the specially constructed facilities, no charge applies.
- C. Where special construction of facilities has been started prior to the cancellation, and there is no other requirement for the specially constructed facilities, a charge equal to the costs incurred in the special construction, less net salvage, applies, except that, where one or more, but not all, of the services involved in the special construction are cancelled, a charge equal to the charge for discontinuance of such services applies instead. Such charge is determined as set forth in Section B5. In determining the charge, each cancelled service is treated as discontinued as of the date on which it was to have been placed in service.
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