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

[Signature]
ANN COLE
Commission Clerk

(SEAL)

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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).

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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


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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
25-4.034 Service Schedules Tariffs.

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

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

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

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

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

(e) If a company intends to temporarily bill lower rates or charges than is contained in a published service schedule, the company shall publish a single service schedule change reflecting the conditions of the temporary service. Such a service schedule provision shall include the heading “Promotion,” and shall state the name of the promotion, a specific description of the scheduled service involved, including all applicable rates, benefits, terms, CODING: Words underlined are additions; words in struck-through type are deletions from existing law.
and conditions, and the beginning and ending dates of the promotion.

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

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

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

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

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

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

(b) A description of the service;

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

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

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

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

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

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

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

(6) If a telecommunications company chooses to publish its schedules by filing them with the Commission, it shall file two copies of all new service schedules and proposed changes to existing service schedules with the Director of the Division of Regulatory Analysis, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, or it shall file electronically pursuant to the requirements set forth at http://www.psc.state.fl.us/utilities/telecomm/. A filing must be received by the Division of Regulatory Analysis before 5:00 p.m. on a normal Commission work day in order to be considered filed on that day. Filing shall mean received by the office of the Division of Regulatory Analysis during normal business hours. Any tariff received by the Division of Regulatory Analysis after 5:00 p.m. shall be considered filed on the next regular business day. All proposed changes to an existing tariff that are submitted by hard-copy shall be directed to the Director of the Division of Regulatory Analysis, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850 and shall include an original and two (2) copies of each revised tariff sheet. A letter of transmittal shall accompany each tariff filing, which lists the included sheets, by sheet number and revision level as specified in CODING: Words underlined are additions; words in struck through type are deletions from existing law.
paragraphs (6)(c)-(e), and gives a brief description of all changes. If acknowledgment of receipt a hard copy filing is desired, the letter of transmittal shall be sent in duplicate with a request that the duplicate be returned and a postage paid envelope shall be provided for that purpose.

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

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

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

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

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

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

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

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

(e) Revised sheets in the tariff shall be marked with the number of the revision in the upper right-hand corner and the number of the sheet it replaces. As an example:
First Revised Sheet No. 4
Cancels Original Sheet No. 4

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

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

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

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

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

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25-24.470 Registration Required.

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

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

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

(4) Each IXC shall file and update, within 10 days after any change, the following CODING: Words underlined are additions; words in struck through type are deletions from existing law.
contact information with the Office of Commission Clerk:

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

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

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

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


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

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

(b) The tariff will be Florida-specific all intrastate rates and charges for customer
services, fees and surcharges, the classes and grades of service available to subscribers, the
conditions and circumstances under which service will be furnished, and all general rules and
regulations governing the relation of customer and company, and all intrastate rates, charges;
and service descriptions shall be for intrastate usage, unless interstate rates are necessary to
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compute the intrastate portion of a customer's monthly bill; then, the interstate rates, charges, and service descriptions shall also be quoted in the tariff to the extent necessary to compute the intrastate portion of a customer's bill.

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

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

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

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

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

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

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

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

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

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

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

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

(e) Revised sheets in the tariff shall be marked with the number of the revision in the
upper right-hand corner and the number of the sheet(s) it replaces. As an example:
First Revised Sheet No. 1
Cancels Original Sheet No. 1
or
Fourth Revised Sheet No. 5.2

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from existing law.
Cancels Third Revised Sheet No. 5.2

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

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

(g) The tariffs shall contain the following:

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

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

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

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

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

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

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

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(4) Information to Accompany Tariff Filings.

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

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


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

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

(2) “Agent” means one authorized to act on behalf of another.

(3) “Competitive local exchange telecommunications company” (CLEC) means any company as defined in Section 364.02(54), Florida Statutes.

(4) “Company” means a shared tenant service company.

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

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

(7) “Local Service Area” or “Local Calling Area” means the area within which telecommunications service is furnished to subscribers under a specific schedule of exchange CODING: Words underlined are additions; words in struck through type are deletions from existing law.
rates and within which calls may be completed without toll charges. A local service area may
include one or more exchange areas or portions of exchange areas.

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

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

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

(11) “Tenant” means any person entitled to occupy a premises under a rental or lease
agreement.

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

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.33, 364.335,


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

CODING: Words underlined are additions; words in struck through type are deletions
from existing law.
(2) In its service schedules tariffs for and contracts with billing and collection agents and other companies providing operator services, every company providing operator services shall require the other party to:

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

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

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

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

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

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

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

25-24.721 Service Schedules Tariffs Not Required.

CODING: Words underlined are additions; words in struck-through type are deletions from existing law.
Alternative Access Vendors are not required to file Service Schedules Tariffs.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.337 FS. History—New 1-8-95.


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

(a) Violation of a term or condition under which the authority was originally granted;

(b) Violation of Commission rule or order;

(c) Violation of Florida Statute; or

(d) Violation of a service schedule price list standard.

(2) If a certificated company desires to cancel its certificate, it shall request cancellation from the Commission in writing and shall provide the following with its request.

Cancellation of a certificate shall be ordered subject to the holder providing the required information.

(a) A statement of intent and date certain to pay regulatory assessment fee.

(b) A statement of why the certificate is proposed to be cancelled.

(c) A statement as to how customer deposits and final bills will be handled.

(d) Proof of individual customer notice regarding discontinuance of service.

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


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

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

(a) Current prices,

(b) Customer connection charges,

(c) Billing and payment arrangements, and

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

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

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

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

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

Rulemaking Authority 350.127(2) FS. Law Implemented 364.04, 364.337(5) FS. History—CODING: Words underlined are additions; words in struck-through type are deletions from existing law.
25-24.830 Consumer Information.

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

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

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


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

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### NOTICE OF PROPOSED RULE DEVELOPMENT
#### UNDOCKETED

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

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

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


#### 25-24.915 Service Schedules Tariffs or Price-Lists.

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

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

**CODING**: Words underlined are additions; words in struck through type are deletions from existing law.
(3) Each company shall include in its service schedule tariff or price list the following information:

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

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


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

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

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

(b) Toll-free customer service number;

(c) Toll-free network access number; and

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

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

(a) Maximum charge per billing increment for PPCS;

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

(c) Expiration policy, if applicable.

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

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

(a) Certificate or registration number;
(b) Rates and surcharges;
(c) Balance of use in account; and
(d) Expiration date or period, if any.

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

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

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

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

(8) If PPCS are sold without a card or printed material, tariffed charges and surcharges as shown on the service schedule shall be disclosed at the point of sale.
Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.01, 364.02, 364.03, 364.04, 364.19 FS. History—New 3-26-98, Amended 8-25-05.

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