

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing to give)	DOCKET NO.	910879-TL
customers the option of receiving)	ORDER NO.	25361
Custom Calling Services free for 30 days)	ISSUED:	11/19/91
by ALLTEL FLORIDA, INC.)		

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 SUSAN F. CLARK
 J. TERRY DEASON
 BETTY EASLEY
 MICHAEL MCK. WILSON

ORDER DENYING TARIFF

BY THE COMMISSION:

On July 23, 1991, ALLTEL Florida, Inc. (ALLTEL or the Company) filed revisions to its General Subscriber Services Tariff proposing to offer new residential customers any or all custom calling features at no charge for 30 days. By Order No. 21432, we previously approved this promotion for a one year trial period which ran from June 26, 1989 to June 26, 1990. ALLTEL claims that the response to the experiment was positive and that it wishes to make the incentive a permanent offering.

ALLTEL's proposed tariff would offer customers the opportunity to use custom calling services free of charge for 30 days when they initiate service. The customer could then call to cancel the features at the end of the trial period. The Company acknowledges that some customers may forget to cancel, so it plans to allow cancellation after the features appear on the customer's bill the following month.

We have two concerns regarding the appropriateness of this filing: First, ALLTEL did not perform a cost/benefit study nor count the inward/outward movement of custom calling subscribers during the trial of this promotion. The Company has performed no cost studies of the viability of this proposal. If the Company does not know the difference between the number of new custom calling subscribers before and after the promotion period, then it cannot determine whether the promotion actually stimulated subscription or if it simply gave away service to the same customers who would have subscribed to the features anyway.

DOCUMENT NUMBER-DATE

11464 NOV 19 1991

FPSC-RECORDS/REPORTING

ORDER NO. 25361
DOCKET NO. 910879-TL
PAGE 2

However, our second concern is more serious. Custom calling features do not appear as separate line items on ALLTEL's bills. The Company provides an itemized bill only once a year or when service changes occur, as required by Commission rule. Although we believe that ALLTEL would make every effort to notify its customers by mail that they would be charged for custom calling features after one month, we are unwilling to allow the Company to begin charging for the service without a positive response from the customer. The customer should not be put in the position of having to call to cancel the service after the trial period.

Given the above concerns, we deny this tariff as filed. We would look favorably upon a proposal of this nature if the Company agreed to include at least the following elements: itemize all custom calling features, or the features included in the promotion requested, on each customer's bill each month; and include a provision where the features would be automatically removed from the customer's bill after the promotional period unless the customer gave a positive response in writing or over the phone. We believe that these requirements are necessary to ensure that the customer does not continue to pay for features that have not been affirmatively requested.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed tariff filing by ALLTEL Florida, Inc. giving new residential customers the option of receiving any or all custom calling features at no charge for 30 days is hereby denied. It is further

ORDERED that this docket be closed following the expiration of the protest period.

ORDER NO. 25361
DOCKET NO. 910879-TL
PAGE 3

By ORDER of the Florida Public Service Commission, this 19th
day of NOVEMBER, 1991.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

PAK

Commissioner Wilson dissented from the decision to deny the tariff proposal.

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and

ORDER NO. 25361
DOCKET NO. 910879-TL
PAGE 4

Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on 12/10/91

In the absence of such a petition, this Order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the date this Order becomes final, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.