

M E M O R A N D U M

August 14, 1996

TO : DIVISION OF RECORDS & REPORTING
FROM : CHRISTIANA T. MOORE, ASSOCIATE GENERAL COUNSEL *CTM*
RE : DOCKET NO. 960720-TL, PROPOSED AMENDMENT TO RULE 25-4.040, TELEPHONE DIRECTORIES; DIRECTORY ASSISTANCE

Attached is an original and three copies of the certification of Rule 25-4.040. The Department of State must receive the original and two copies of the certification no later than 5:00 p.m., August 14, 1996. The Certification includes:

- (1) An original and two certified copies of Rule 25-4.040, F.A.C.;
- (2) A summary of the rule;
- (3) A summary of the hearing on the rule; and
- (4) A written statement of the facts and circumstances justifying the rule.

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Attachments

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CERTIFICATION OF
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES
FILED WITH THE
DEPARTMENT OF STATE

I do hereby certify:

(1) The time limitations prescribed by paragraph 120.54(11)(a), F.S., have been complied with; and

(2) There is no administrative determination under section 120.54(4), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(11)(b), F.S. They are filed not less than 28 days after the notice required by subsection 120.54(1), F.S., and;

(a) And are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed within 21 days after the adjournment of the final public hearing on the rule; or

(d) Are filed within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(e) Are filed within 21 days after the date the transcript was received by this agency.

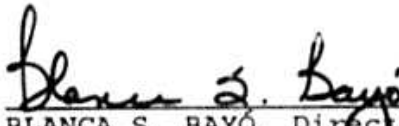
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HEREIN IS UNCLASSIFIED
DATE 08-14-2011 BY 3

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

<u>Rule No.</u>	<u>Rulemaking Authority</u>	<u>Specific Law Being Implemented, Interpreted or Made Specific</u>
25-4.040	350.127(2), F.S.	364.03, 395.1027, F.S.

Under the provision of paragraph 120.54(13)(a), F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: _____
(month) (day) (year)



BLANCA S. BAYÓ, Director
Division of Records & Reporting

Number of Pages Certified

(S E A L)

CTM

1 25-4.040 Telephone Directories; Directory Assistance.

2 (1) Each local exchange telecommunications company shall
3 normally publish updated telephone directories once every 12 months
4 and shall publish updated directories at least once every 15
5 months. The directories shall normally alphabetically list the
6 name, address, and telephone number of all subscribers located in
7 the exchange(s) contained in the directory except the telephone
8 numbers for public telephones or a name, address, number/address
9 unlisted or unpublished at the subscriber's request. Also listed
10 alphabetically shall be a listing designated "Poison Information
11 Center" and the local telephone number, where the exchange served
12 by the directory has local calling to a Poison Information Center.
13 If no local telephone number exists, then the toll-free telephone
14 number of a Poison Information Center shall be listed. A
15 description of the local (toll free) calling scope shall be
16 prominently displayed at the beginning of each alphabetical section
17 in a directory. At no additional charge and upon the request of
18 any residential subscriber, the exchange company shall list an
19 additional first name or initial under the same address, telephone
20 number and surname of the subscriber. The exchange company shall
21 place the first names or initials in the order requested by the
22 subscriber.

23 (2) Each subscriber served by a directory shall be furnished
24 one copy of that directory for each access line. Subject to
25 availability, additional directories shall be provided by the local

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1 exchange telecommunications company, which may charge a reasonable
2 fee therefor. Within 30 days after the effective date of this rule
3 each exchange company shall file with the Commission a tariff
4 setting forth the fee, if any, and the conditions under which it
5 will apply. Copies of each directory shall be furnished to the
6 Bureau of Service Evaluation. When expanded calling scopes are
7 involved, as with Extended Area Service, each subscriber shall be
8 provided with directory listings for all published telephone
9 numbers within the local service area.

10 (3)(a) The name of the local exchange telecommunications
11 company, the individual exchanges included in the directory and the
12 month/year of issuance shall appear on the front cover of each
13 directory.

14 (b) Beginning with directories issued on or after January 1,
15 1995, the following information shall be listed on the inside of the
16 front cover of the directory:

17 1. "911" instructions for exchanges with "911" service.
18 Such "911" instructions shall be at the top of the inside front
19 cover and shall be outlined in order to be separate from other
20 information on the inside front cover. "911" shall be the only
21 listed emergency number; all other numbers on the inside front
22 cover shall be listed as "nonemergency" or "other important
23 numbers."

24 2. For exchanges where "911" emergency service is not
25 provided, emergency calling instructions and numbers including

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1 those of the police, sheriff, fire departments and ambulance
2 services used by local government in case of emergency. Such
3 emergency calling instructions shall be listed at the top of the
4 inside front cover and shall be outlined and separate from other
5 information. All other numbers on the inside front cover shall be
6 listed as "nonemergency" or "other important numbers."

7 3. The information required by Section 395.1027, F.S.

8 (c) The following notice shall be conspicuously listed on the
9 inside front cover or first page of the directory:

10 FLORIDA PUBLIC SERVICE COMMISSION INQUIRIES
11 CUSTOMERS OF UTILITIES AND COMPANIES REGULATED BY THE COMMISSION
12 WHO HAVE FIRST CONTACTED SUCH A FIRM CONCERNING A PROBLEM, AND ARE
13 NOT SATISFIED BY THE CORRECTIVE ACTION TAKEN MAY CONTACT:

14 COMISION DE SERVICIO PÚBLICO DEL ESTADO DE LA FLORIDA:
15 TODOS LOS CLIENTES DE UTILIDADES Y EMPRESAS REGULADAS EN LA FLORIDA
16 QUE HAYAN INICIADO CONTACTO CON DICHA ENTIDAD Y NO ESTÉN
17 SATISFECHOS CON LA RESOLUCIÓN DE SU QUEJA Y/O INVESTIGACIÓN PUEDEN
18 DIRIGIRSE A:

19 THE FLORIDA PUBLIC SERVICE COMMISSION
20 Division Of Consumer Affairs
21 2540 Shumard Oak Boulevard
22 Tallahassee, Florida 32399-8153
23 Phone Toll Free (TDD & Voice) 1-800-342-3552
24 Facsimile Toll Free 1-800-511-0809
25 Internet E-mail address for filing complaints:

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1 CONTACT@PSC.STATE.FL.US

2 Internet Address for retrieving information:

3 http://www.scri.net/psc

4 (4) The following information shall appear in the front pages
5 of the directory, preceding subscriber listings, along with an
6 index where there are four (4) or more pages of such information:

7 (a) Directions for the use of local exchange and long
8 distance telephone services and calls to repair and directory
9 assistance services.

10 (b) Application and amount of directory assistance charges
11 contained in company tariffs.

12 (c) Application and amount of charges for line busy
13 verification, emergency interrupt and maintenance/repair services.

14 (d) The location of telephone company public business offices
15 located in the area(s) contained in the directory.

16 (e) Identification of customer payment locations and an
17 explanation of discontinuance of service procedures for local
18 service.

19 (f) Policy on customer owned equipment and inside wiring
20 shall include, but not be limited to the following information,
21 separately stated:

- 22 1. A layman's description of inside wiring.
- 23 2. A layman's description of demarcation point.
- 24 3. A layman's description of the customer's responsibility
25 for all wiring on the customer's side of the demarcation

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1 point.

2 4. A generic description of the various types of vendors
3 which sell repair equipment.

4 5. A generic list of the types of service vendors providing
5 maintenance or repair of inside wire, or customer
6 premises equipment.

7 6. Instructions on how to determine whether the customer or
8 the telephone company is responsible for needed repairs.

9 7. Instructions for determining when a phone jack is
10 defective.

11 8. Instructions for determining when a telephone is
12 defective.

13 (g) Policy on the recording of telephone conversations.

14 (h) Policy on harassing calls and sales solicitations
15 generated by illegal automatic dialing equipment.

16 (i) Policy on various violations of law arising from the
17 illegal use of telephone equipment and service.

18 (j) A conspicuous notice of the availability of the "No Sales
19 Solicitation" list offered through, the Florida Department of
20 Agriculture and Consumer Services, Division of Consumer Services,
21 and the 800 number to contact for further information.

22 (5) Directory assistance operators shall maintain records of
23 all telephone numbers (except for non-published telephone numbers)
24 in the area for which they have the responsibility of furnishing
25 service. Directory assistance records must also contain listings

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1 for "Poison Information Center" and the local telephone number,
2 where the area served by the directory assistance operator has
3 local calling to a Poison Information Center. If no local
4 telephone number exists, then the toll-free telephone number of a
5 Poison Information Center shall be listed. All new or changed
6 listings shall be provided to directory assistance operators within
7 ~~forty eight~~ (48) hours after connection of service, excluding
8 Saturdays, Sundays and holidays.

9 (6) In the event of an error in the listed number of any
10 subscriber, each local exchange telecommunications company shall
11 intercept all calls to the listed number for the period of time
12 required to comply with Rule 25-4.074, provided the listed number
13 is not in service. In the event of an error or omission in the
14 name listing of a customer, the customer's correct name and
15 telephone number shall be listed in the directory assistance and
16 intercept records and the correct number furnished the calling
17 party upon request or interception.

18 (7) When a subscriber will establish a residence or business
19 shortly after the close of subscriber listing records but preceding
20 publication, the local exchange telecommunications company shall,
21 upon request, establish and list service at the requested new
22 address and immediately place the service on suspension. Service
23 connection and other appropriate local service charges shall be due
24 and payable, independent of whether service is later restored.

25 (8) When scheduled additions or changes in plant, records or

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1 operations will require a large group of number changes, the
2 earliest possible notice shall be given to affected customers,
3 regardless of the time of the change relative to the directory
4 issuance cycle.

5 (9) The local exchange telecommunications company shall not
6 change a subscriber's telephone number without good cause and at
7 least 30 days prior notice to the affected subscriber.

8 Specific Authority 350.127(2) FS.

9 Law Implemented 364 03, 395.102 FS.

10 History--New 12-1-68, Amended 3-31-76, 1-4-78, 12-10-84, Formerly
11 25-4.40, Amended 11-28-89, 3-31-91, 2-11-92, 12-6-94, 5-8-96, _____

12 _____.

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SUMMARY OF RULE

Rule 25-4.040(3)(c) is amended to require local exchange companies to include additional information in telephone directories about methods of contacting the Commission when a customer is not satisfied with the company's response to a complaint, and to include a Spanish translation of the Commission complaint information.

SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and none was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Rule 25-4.040(3)(c) requires local exchange companies (LECs) to include in the front of the telephone directory information about how customers may contact the Commission when they are not satisfied with a company's response to a complaint. In addition to a toll free telephone number that is currently published, the Commission now has available a toll free facsimile number to receive consumer complaints, an Internet address for receiving consumer complaints, and a Web site on the Internet for consumers to retrieve information from the Commission. The rule amendment requires companies to publish this information, and also requires publication of a Spanish translation of the existing English language notice.

Chapter 95-403, §32, Laws of Florida, required the Commission to implement a consumer information program by January 1, 1996. In addition, recent changes in the law allowing local competition as well as resale of local service to residents by shared tenant

service providers may result in an increase in the number of complaints.

Rule 25-4.040(3)(c) is intended to increase customer awareness of the Commission's complaint process; increase access to Commission rules, orders, and other documents and information; and furnish additional and faster methods of communicating with the Commission.