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December 18, 1997

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 960312-TP
Proposed Rules relating to Operator Services Providers

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Comments, which we ask that you file in the captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White (KR)

Nancy B. White

ACK
AFA _____
APP Caldwell
CAF _____
CML 2
DIR _____
DAS _____
EF _____

Enclosures

cc: All parties of record
A. M. Lombardo
R. G. Beatty
William J. Ellenberg II

RECEIVED & FILED
FEB 19 1998
REGISTRATION DIVISION

DOCUMENT NUMBER DATE

12973 DEC 18 97

TELEPHONE RECORDING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE:) Docket No. 960312-TP
)
 Proposed amendments to Rules 25-4.002,)
 F.A.C., Application and Scope; 25-24.600, F.A.C.,)
 Application and Scope; 25-24.610, F.A.C., Terms)
 and Definitions; Rules Incorporated;)
 25-24.620, F.A.C., Service Requirements for)
 Companies Providing Operator Services;)
 25-24.630, F.A.C., Rate and Billing)
 Requirements; and 25-24.600, F.A.C., Scope.) Filed: December 18, 1997

COMMENTS OF BELL SOUTH TELECOMMUNICATIONS, INC.

COMES NOW, BellSouth Telecommunications, Inc. ("BellSouth"), through counsel, in response to the Florida Public Service Commission Staff's Notice of Proposed Rule Amendments, dated December 3, 1997, and hereby provides its Comments to the staff proposed amendments resulting from a rule development workshop of October 28, 1997 and relating to rules applying to Operator Services Providers.

COMMENTS

Staff proposes to apply Part XIII of Chapter 25-24, Florida Administrative Code to local exchange telecommunications companies. This proposal conflicts with Sections 364.3376(b) and 364.051, Florida Statutes with regard to BellSouth. Section 364.3376(b) states that the Operator Services provisions "shall not apply to operator services provided by a local exchange telecommunications company, except as required by the Commission in the public interest." There has been no such public interest finding by the Commission. Section 364.051, Florida Statutes sets specific rate levels (caps)

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for price regulated local exchange companies, such as BellSouth. The proposed rate caps set forth in proposed rule 25-24.630(1)(a), (1)(b), (2), and (3) is in direct conflict with Section 364.051.

BellSouth has never been subject to the Commission's Operator Services Rules and there is no reason to change this situation. The pricing of non-basic local services of price regulated local exchange companies is governed by state statute and any agency rule in conflict must fail.

Respectfully submitted this 18th day of December, 1997.

BELLSOUTH TELECOMMUNICATIONS, INC.

Robert G. Beatty (KR)

ROBERT G. BEATTY

NANCY B. WHITE

c/o Nancy H. Sims

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**CERTIFICATE OF SERVICE
DOCKET NO. 951660-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by
U.S. Mail this 18th day of December, 1997 to the following:

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