## REQUEST TO ESTABLISH DOCKET <br> (PLEASE TYPE)

Date $\qquad$ Docket no. $000733-72$

1. Division Name/Staf: Name_ Competitive Services/Audu
2. OPR Competitive Services/Audut._.
3. OCR Legal Services.
4. Suggested Docket Title ...Investigation to determine whether EellSouth Telecommunications,

Inc.'s tariff filing to Restructure its Late Payment Charge is in violation of Section 364 , 051, F. ${ }_{\text {S. }}$
5. Suggested Docket Mailing List (attach separate sheet if necessary)
A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
B. Provide COMPLETE name and address for all others. (Match representatives to clients.

1. Parties and their representatives (if any)

BellSouth $\qquad$
$\qquad$
2. Interested Persons and their representatives (if any)
$\qquad$
6. Check one:

XX Documentation is attached.
_ Documentation will be provided with recommendation.

```
i: \PSC\RAR\WF\ESTDKT.
PSC/RAR 10 (Revised 01.96)
```

document mpopti-date
$07395 \mathrm{JuN19g}$


July 9, 1999
Mr. Walter D'Haeseleer
Director, Division of Communications Florida Public Service Commission 2540 Shumard Oak Boulevard Gerald L. Gunter Building, Room 270
Tallahassee, Florida 32399-0850

## T-991139 <br> RECEIVED

JUL 09 g 199
EMU

Dear Mr. D'Haeseleer:
Pursuant to Florida Statute 364.051 , we are filing a revision to our General Subscriber Service Tariff. Following are the affected pages.

General Subscriber Service Tariff
Section A2 - Third Revised Page 19

- Second Revised Page 20

Private Line Services Tariff
Section 82 - First Revised Page 14
This tariff filing will revise the Late Payment Charge for Florid subscribers. Effective August 28, 1999, the Late Payment Charge for residence subscribers will be $\$ 1.50$ plus an interest charge of 1.5 percent on the unpaid balance. Also effective August 28, 1999, the Late Payment Charge for business subscribers will be $\$ 9.00$ plus an interest charge of 1.5 percent on the unpaid balance.

The following attachment provides additional supporting and explanatory information for the proposed tariff revision. The attachment constitutes a comprehensive package which fulfils the basic requirements for supporting data specified in Chapter 25-9 F.A.C.

Attachment A - Executive Summary
Acknowledgment, date of receipt, and authority number of this filing are requested. A duplicate letter of transmittal is attached for this purpose.

Your consideration and approval will be appreciated.


Regulatory Vice President

## EXECUTIVE SUMMARY

## Introduction

This taif filing will revise the Late Payment Charge for Florida subscribers effective August 28, 1999. There will be no changes to the Late Payment Charge for county and municipal governments that will remain at one percent.

## Description of Proposed Tariff

Effective August 28, 1999, the proposed tariff will change the Late Payment Charge for residence subscribers to $\$ 1.50$ and will add an interest charge of 1.5 percent on the unpaid balance. It will also change the Late Payment Charge for business subscribers to $\$ 9.00$ and will add an interest charge of 1.5 percent on the unpaid balance. The other tariff regulations for the Late Payment Charge will remain unchanged. Currently the Late Payment Charge is applied on unpaid balances greater than $\$ 1.00$. Under the proposed tariff, the Late Payment Charge and interest charge will only apply on unpaid balances greater than $\$ 6.00$.

## Revenue/Cost Information

The Company estimates a total incremental Late Payment Charge revenue of $\$ 2,242,693$ per year which is within the six percent increase allowed for the Miscellaneous Service Basket. The total incremental revenue as a result of the new interest charge is estimated to be $\$ 23,636,356$.

## geLLSOHTH <br> TEI. FCOMMUNICNIIUNS, INC. <br> GENFRAI SUUSCRIAER NHRVICE TARIF <br> A2. GENERAL REGULATIONS <br> A2.4 Payment Arrangemente and Credit Allowances (Cont d) <br> A2.4.J Payment fur Servict (Cont'0)



 amounte billod in actordmee with the Compeny's Billing sul Cullections Scrvices Thrifi) when the previnus munth's bill has not been paid in full priof to the nant bilifing date. The 1.59 ownow jinterst charge is applicd to the cotal unpud whount curried forwerd and is incluced in the total amount due on the current bell. This Twift shatl apply la fetherat and atare govermment puryuant lo existing sublutes applieshle to those govenmental entitios. Effoctive lan baty 1. 1992, county and municipal govemments will be assessed a i percent lane Pryment Charge in accordanese with the provishils of the Floinda Prompt Naymett Act, Section 218,70-218.79, Finrida Sututes.
 Section , th, of this larifl.

 provisions ol this Tarif.
F. In its discretion. the Compuny may restore of restublish serviwe which has been suspended of disconnected lior nompayment of

 provisions of thas Tarift, nor shafl the fillure to suspend of diwennnect ecrviee for nompayment of any pias due weount of
 due wecount.
6. Bills for survice shull not be cansidered delinquent pribe to the expration of itheen days trum the date of mating or deivary by the eompany. However, the compuny may demend immediale puyment under the following circumathec:

1. Where sorvise is terminatied or sbundoned
2. Whetr unl servicy is two times grvaior than the subscribers iverage usage ay reflected on the formbly mils for the thwe munths priof to the current bill or, in the cute of a net curcomer who haw bew receiving service lor less than four inunths, whers the toll strive is iwied the sxtimated monthly tall service.
3. Wheru the Company has rovern to believe thal a business subscriber is aboult to go wut of business or that banieruptcy is imminerd for that subscriber.
H. Foll crodit Limie (1C:.)

Toll Crodit I imit (TCL) is an incerim phate of toll denial in licu of lecal service denial. It affers woscriber the option of toll restriction while puying a depoxit of an overfue bill balase on an ustallment bwis.

## t. (UEIETED)

21. The toll Crodit Limit procest shall upply for sulmeribers requesting new service with no collstanding bill balance (T) subscribern requasting acw sefves with unpaid balances from provinus vervicus end for exiscing miberimers with oucrduc outstindint chareme.
22. New Service With No Outatoding Cherges Fof frev inut Sorvics

 subecribur apoes to a full toll reatriction of the wervite. a no charge until the deposit is paid in tull.


b. New Servied With Outanonding Chargex For I'revious Strvice

 restriction of the sarviec until the chargos tre paid in full. These subsuribers cun arake arranguments to puy the charges in up to fuur instaliments.


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

### 42.4.3 Paymont for Service (Cont'd)

H. Kulf Cretit Limit (1Cl) (Conte)
12. (Comid)

## c. Cxising Service

Residence subscribers with overtus bull belaneen who are unuble to pey the chueges in fill may he allawed to retain



## A2.4.4 Allownace for Serviry Ontages


 fixed monthly chargs involved will be allowed. for the suvice and failtets readeres ustiosis and inoperative by reaun of the survice nutage during the time the oulage enntinuay in exeess of twenty-finur hours form the time it is repernud to we detected

 wort. I we the purpase of administuring this ragulation every month is considerod to have thirty days.

### 42.4.5 Provivinn for Cortain Local Taxee and Fews



 receiving sarvies in the munieipatity of political subdivising.

### 42.4.6 Provision for Cortalu Loen Ordisamea Conts


 subycribers recelving exchange servier within the mupieipelity or county as patt of the priee for exchunge wrina
 reconcile these extimales to the etual conss incurred toe the vix memth pernow anding June 30 end Usecomber 11 of each gear shall he applicd.
Charges for permits, licensex or fers required by povemine ruthontice for installing any twentume wime in a building will be billed by the compuny to the nepuexting porty.

## A2.4.7 Rasorved for Future Use

## A2.4.8 Varlable Term Paymowt



 liability shatl be rapplicable to any amte. county, or mupicipal eovernmental entity when these is in effict as a rault of action by such entity and through a duly constituted legistative, sdininisuraive, of axecutive body:

1. a valut:
2. an urdinumest
3. a policy dinetive; or
4. a constreutional provition




BFIT LSQUTIt
[ELECOMMISNIC:A I ONS. INC.
FI.ORII)A

 Giami, Fiorids
legislative format page
-


## B2. REGULATIONS ${ }^{-}$

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

## E2.4.I Payment of Charget and Depomits (Comt'd)

E. Applicents for terviet who have no wecoum with the Company or whose rinancial responsibility is not it mancer of gencral knowictge. inay be required wo mike an advance payment at the lime an application for sorvice is olutid with the Company.
 In addition, where the furnishing of service involves an unusual investment. applicunta may be required winake paymant in advance of such portion of the extimated enst of the installation in construction as is to be bowne by them. the anount of the
 timmished.
C. The Company may, in order to saieguurd its interests, require an applicant or curwonter to make such depoen as the Company decms suiuble to be held by the Company as a guanntee of the poyment of chates. The tiet that a deposit has heen made in no way relifeves the tpplicant or entiomer from complynte with the Compuny's regulations at to advance patyments or the prompl puyment of bilis on presentation. At such time ts the service is terminaced the arount of the depmsit is credited th the customer's eccount and any efodit balonce which may femain is feriunded. Wt the option of the Company such a depusit may be




C. Encetive Apri] 1. 199 h , charge of $\$ 20.00$ or 5 pertent of the face value of the check whichever is greater, will upply whencer a chect or drah presented for paymen for service is nor aceepled by the inciturion on which in is writum, ${ }^{-15}$ fir a check of drat written prioe to this dale i charse of $\$ 15.00$ will sppty.




 unpwid amount carried forwerd end is inciuded in the total amount due on the cursumt bill. fatt palymert sharges to cuvermmental entitier shall be the maxifrum ullownd by lew hut mo more that 1.0 pereent +10 lat per imonah.
G. At the option of the cuntomer, will nonrecurring charges associsced with an order for service may be hilled iner a threl enonth pcriod tubjece to the followint:

- 509 of the colal nonrweuring churgex will he billicd in the first monthly billing penod atter the charge are incurred.
 two mondhly billin ${ }^{\text {t }}$ periods.
- The Extended Bilting Plan Charge is calculated an a rate or $1.0 \%$ per month or $12 \%$ annunily, un the unbiled balence of the nonfecurruns cherex
- If the customer disconneses weviet hefore the expiration of the plan feriod, all unbilled eharpos plus the tivended asilling Plun churge if appligeble, will be inetuded in the final bill rumdored.
- If the custumer fitis to make any of the payments priof to the nexi billing dute these late puyment cirarges as epecificd in $F$. preceding will apply.


Nete 13: Nonpeyment of this charge will not constluld sulfictomt cause for inurruption or canceltation of service.


## A2. GENERAL REGULATIONS

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

## A2.4.3 Payment for Service (Cont'd)

C. Effrctive August 28, 1599 a Late Payment Charge of 51.50 plus an interest charge of 1.5 percent on the unpaid balance exceeding $\$ 6.00$ for residence subscribers and a Late Paymont Charge of $\$ 9.00$ plus an interest charge of 1.5 percems on the unpaild balance excecding $\mathbf{3 6 0 0}$ 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 hes not been paid in tull prior to the next billing date. The 1.5 percent interest charge is applied to the total unpeid amount carried forward and is included in the total amount due on the current bill. This Tariff shall apply to foderal and state govermment pursuant to existing stautes applicable to those govemmental entities. Effective January 1, 1992. county and municipal governments will be assessed a 1.0 percent Late Payment Charge in accordance with the provisions of the Florida Prompt Payment Act. Section 218.70-218.79, Florida Statutes.
D. Should service be suspended for nonpayment of charges. it will be restored oniy as provided under "Restoration Charge" in Section A4. of this Tariff.
E. When the service has been disconnected for nonpayment. the service agreament is considered to have been terminated. Reestablishment of sevice may be made only upon the execution of a new service agreement which is subject to the provisions of this Tanff.
F. In its discretion, the Company may restore or reestablish service which has been suspended or disconnected for nonpayment of charges. 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 nonpeyment of any such or other charges due and urpaid 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 ocher past due account.
G. Bills for service shall not be considered delinquent prior to the expiration of fiftern deys 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 times greater than the subscriber's average usage as reflected on the monthly bills for the three months prior to the current bill or, in the case of a new customer who has been receiving service for less than four months, where the toll service is twice the eatimated monthly toll service.
3. Where the Company has reation to believe that a business subscriber is about to go out of business or that bankruptcy is imminent for that subecriber.
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 subacribers requesting new service with no outstanding bill balance, subscribers requesting now 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 Compeny deams it necessary for a subscriber requesting new service to pay a deposit and the subscriber is unable to pay the deporit in full, the subscriber may be allowed to pay the deposit in up to four (4) installments if the suberriber aprees 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 requented service until smisfictory credit has been established.
b. New Service With Outatanding Chargea For Previous Service

Residence subscribers requesting new service who have oustanding charges from previous service with the Company, which have not yer 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 instalments.

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

## A2.4.3 Payment for Service (Cont'd)

H. Toll Credit Limit (TCL) (Cont'd)
!. (Conrd)

## c. Existing Service

Residence subscribers with overdue bill balances who are unable to pay the charges in fulf may be allowed to retain their local service if they elect to have a full toll restriction placed on their existing service, at no charge, until the charges are paid. These subscribers may arrange to pay the outstanding balance in up to four installment payments.

## A2.4.4 Alowance for Service Outages:

When the use of service or facilities furnished by the Company becomes unavailable due to any cause other than the negligence or willful act of the subscriber or the failure of the facilities provided by the subscriber, a pro rata adjustment of the fixed monthly charges involved will be allowed, for the service and facilities rendered useless and inoperarive by reason of the service outage during the time the outage continues in excess of twenty-four hours from the time it is reported to or detected by the Company, except as otherwise specified in this tariff. The adjustment shall not be applicabie for the time that the Company stands ready to repair the service and the subscriber does not provide access to the Company for such restoration work. For the purpose of administering this regulation, every month is considered to have thirty days.

## A2.4.5 Provision for Certain Local Tares and Fees

When a municipality or political subdivision of the state charges the Company any license, occuparional, franchise, inspection or other similar tax or fee whecher in a lump sum, or at a flat rate, or besed on receipts, or besed on poles, wires, conduits or other facilities, the aggregate amount of such taxes and fees will be billed, insofur as practical, pro rata to exchange subscribers receiving service in the municipality or political subdivision.

## A2.4.6 Proviaion for Certain Local Ordinance Contr

When the Company by virtue of its compliance with a municipal or county ordinance, incurs significant costs that would not otherwise nombally be incurred, all such conts shall be bilfed, insofar as practical, pro rate, per exchange access line, to those subscribers receiving exchange service within the municipality or county as part of the price for exchange service.
An estimated monthly amount of such costs shall be billed to the affected subseribers each month and an adjusment to reconcile these estimates to the actual costs incurred for the six month periods ending June 30 and December 31 of each year shall be applied.
Chartes for permits, licenses or fees required by governing authorities for installing any telephone wire in a building wili be billed by the Compeny so the requesting perty.

## A2.4.7 Reserved for Future Use

## A2.4.8 Variable Term Payment

A. In the event that all of any part of the service is disconnected at the customers requer prior to the expiration of any selected payment period of greater than one month's duration, the cuszomer will be required to pay the applicable cemminarion charge as stated in the Accens Service Tariff, the Private Line Service Tariff and this Tariff. The tariff provisions concerning termination liability shall be inapplicable to any state, county, or municipal governmental entity when there is in effect, as a result of action by such entity and through a duly constituted legislative, administrative, or executive body:

1. a statutes
2. an ordinences
3. a policy directives of
4. a constitutional provision
which restricts or prohibits an additional contractual payment for eariy termination of a contract by any such entity, or agency thereof, due to an unavailability of funding. When service is being provided and funding to the govermmental entity for such service becomea unavailable, the governmental entity may cancel the service without additional payment obligation.

## B2. REGULATIONS

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

## B2.4.1 Payment of Charges and Deponits (Cont'd)

B. Applicants for service who have no account with the Company or whose financial responsibility is not a matter of general knowledge, may be required to make an advance payment at the time an application for service is placed with the Company, equal to the service connection or installation charges, if applicable, and ar least one month's charges for the service provided. In addition, where the fumishing of service involves an unusual investment, applicants may be required to make payment in advance of such portion of the eatimated cost of the installation or construction as is to be borme by them. The amount of the advance payment is crectited to the custorner's account as applying to any indebtedness of the customer for the service fumished.
C. The Company may, in order to safeguard its interests, require an applicant or customer to make such deposit as the Company deems suitable to be heid by the Company as a guarantee of the payment of charges. The fact that a deposit has been made in no way relieves the applicant or customer from complying with the Company's regulations as to advance payments or the prompt payment of bills on presentation. At such time as the service is teminaled the amount of the deposit is credited to the customer's account and any credit balance which may remain is refunded. At the option of the Company such a deposit may be refunded in all or part or credited to the customer at any time prior to the termination of the service. In case of a cash deposit. interest is paid at the rate of $6 \%$ per annum to begin and run from the date said deposit is made except that, no interest shall apply on a deposit unless the deposit and the service have been in existence for a continuous period of six montha.
D. Thie Company reserves the right to increase the deposit requirement when in its judgment the conditions justify such action
E. Effective April 1, 1996, a charge of $\$ 20.00$ or 5 percent of the face value of the check, whichever is greater, will apply . whenever a check or draft presented for payment for service is not accepted by the institution on' which it is written' For a check or draft written prior to this date, a charge of $\$ 15.00$ will apply.
F. Effoctur August 24, 1999, a Late Payment Charge of 51.50 plus an interwst chargr of 1.5 parcent on the unpuid balance excading 5400 for residence subscribars and a Late Payment Charge of $\$ 9.00$ ptms an invorum charge of lis percent on the unpeid balance exceeding \$400 for bustnass subivcribers will be appllted to each subscriber's bill when the previous month's bill (including amounts billed in sccordence with the Company's Billing and Coilectiona Services Tariff) has not been paid in full prior to the next billing date. The $/ .5$ percewt hnterest charge is applied to the total unptid amount carried forward and is included in the cotal amount due on the current bill. Late pryment charges to governmental entities shall be the maximum allowed by law but no more than 1.0 percont per month.
G. At the option of the customer, all nonrecurring charget associated with an order for service may be billed over a three month period subject to the following:

- $50 \%$ of the total nonrecunring charger will be billed in the first monthly billing period after the chargee are incurred, and $\mathbf{2 5 \%}$ of the total nonrecurring charges plus an Extended Billing Plan Charge will be billed in each of the following. wo monthly billing periods.
- The Extended Billing Piten Charge is calculated at a rate of $1.0 \%$ per month or $12 \%$ annually, on the unbilled balance of the nonrecurring charges.
- If the customer disconnects servica before the expiration of the plan period, all unbilled charges plus the Extended Billing Plan charge if applicable, will be included in the final bill rendered.
- If the customer fails to make any of the payments prior to the next billing date these late payment charges as specified in F. preceding will apply.

Note 1: Nonpayment of this charge will not constitute sufficient cause for interruption or cancellation of service.

| State: Florid Miscel t meow service | e Market Basket Sumbry of Amupl Reverues |  |  | Develop bate | 12/98 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| morkpapen e- |  |  |  |  |  |
| ICE ID | $\begin{aligned} & \text { SERVICE } \\ & \text { DESCRIPIIM } \\ & \text { (2) } \end{aligned}$ | Phesent REvENU IOTAT | Phoposed <br> REVEWIE IOIAL | REVEMESCuYGGE Cuyge | PERCEWT Chates <br> (6) |
|  |  | (3) | (4) |  |  |
| 2901 |  | 24,343,590 | \$4,343,590 | s0 | $0.00 x$ |
| 2902 | Late paymemi cmances - HISC | 330,250,230 | 532,500,923 | \$2,242,693 | 7.418 |
| 2906 | APARTMEWT DOON MISTERIWC SERVICES - MISE | \$24,009 | \$24,009 | \$0 | -0.00\% |
| 2905 |  | \$9\%,92 | 598,962 | 30 | 0.000 |
| 2906 | FELECOMMICAIIOM SVC. Priortty (TSP) SYSTEM - MISC | \$3,722 | \$3,722 | \$0 | $0.00 x$ |
| 2907 | aldillart equipmewt - misc | 516.499 | \$16,499 | \$0 | 0.008 |
| 2908 | EMuniced 911 Emercewcy service - MISC | 59,793,050 | 99.70.050 | \$0 | 0.008 |
| 2909 | EOUIPMENT FOC disableo clistowers - OUTRIGHT SALE - MISC | \$27,742 | \$ $\$ 27,742$ | 50 | 0.008 |
| 2910 |  | \$32,739 | 532,739 | \$0 | $0.00 \%$ |
| 2911 | EMEREWCY REPORTIMG SERVICE - MISC | \$9.520 | 39,520 | 50 | 0.000 |
| 2912 | miscellameous equipmemt - misc | \$194.574 | \$194,574 | 80 | 0.008 |
| 2913 | thodele locatiom charge - misc | \$1,035 | \$1,035 | \$0 | $0.00 x$ |
|  | jotal | 444,008,752 | 447,051,445 | \$2,242,693 | 5.01x |


| State: Florida |  |
| :--- | :--- |
| Misceil aneous Service | Market Basket Sumary of mmum Revenues |

## UODKPAPER A



