

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Repeal of Rule
25-4.0041, F.A.C., Provision of
Shared Services for Hire.

DOCKET NO. 971453-TS
ORDER NO. PSC-97-1578-NOR-TS
ISSUED: December 15, 1997

The following Commissioners participated in the disposition of
this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
DIANE K. KIESLING
JOE GARGIA

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service
Commission, pursuant to Section 120.54, Florida Statutes, has
initiated rulemaking to repeal Rule 25-4.0041, Florida
Administrative Code, relating to provision of shared services for
hire.

The attached Notice of Rulemaking will appear in the December
19, 1997 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at the following
time and place:

Florida Public Service Commission
10:00 a.m., March 19, 1998
Betty Easley Conference Center
Room 152, 4075 Esplanade Way
Tallahassee, Florida 32399-0850

Written requests for hearing and written comments or
suggestions on the rule must be received by the Director, Division
of Records and Reporting, Florida Public Service Commission, 2540
Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than
January 9, 1998.

DOCUMENT NUMBER-DATE

12794 DEC 15

FPSC-RECORDS/REPORTING

ORDER NO. PSC-97-1578-NOR-TS
DOCKET NO. 971453-TS
PAGE 2

By ORDER of the Florida Public Service Commission, this 15th
day of December, 1997.

BLANCA S. BAYÓ, Director
Division of Records & Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

CTM

ORDER NO. PSC-97-1578-NOR-TS
DOCKET NO. 971453-TS
PAGE 3

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 971453-TS

RULE TITLE: RULE NO.:

Provision of Shared Service for Hire 25-4.0041

PURPOSE AND EFFECT: The purpose of this change is to repeal a rule that is obsolete. It is not expected to have any effect.

SUMMARY: The rule required the Commission to make a public interest determination before issuing certificates for the provision of shared tenant services and companies providing shared WATS service must be certificated. All rules for Shared Tenant Services are found in Chapter 25-24, Part XII, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Because the rule had no effect no SERC was necessary.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), 364.19 FS

LAW IMPLEMENTED: 364.02, 364.33, 364.335, 364.337, 364.345 FS

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

ORDER NO. PSC-97-1578-NOR-TS
DOCKET NO. 971453-TS
PAGE 4

HEARING: IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A
HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 A.M., March 19, 1998

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade
Way, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:
Director of Appeals, Florida Public Service Commission, 2540
Shumard Oak Blvd., Tallahassee, Florida 32399-0862.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.0041 Provision of Shared Service for Hire.

~~(1) The provision for hire of shared telephone service within a local calling area by other than the certificated local exchange company is prohibited except in those cases in which the Commission determines that no duplicative or competitive local exchange service is being provided.~~

~~(2) The provision for hire of shared WATS Service shall be permitted only when the provider has been granted a certificate of public convenience and necessity by this Commission to do so.~~

~~(3) The foregoing notwithstanding, until July 1, 1987, any person who is providing shared telephone service, is sharing telephone service or who has placed orders for shared telephone service on or before November 4, 1985 may continue to receive that service. Persons affected by this rule shall be notified by the local~~

ORDER NO. PSC-97-1578-NOR-TS
DOCKET NO. 971453-TS
PAGE 5

~~exchange companies of the content of the rule within 30 days from
the effective date of this rule.~~

Specific Authority 350.127(2), 364.19 FS.

Law Implemented 364.02, 364.33, 364.335, 364.337, 364.345 FS.

History--New 12-22-85, Formerly 25-4.041, Amended 11-2-86, repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Ann Shelfer

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: December 2, 1997

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

Volume 23, Number 32, August 8, 1997

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact

ORDER NO. PSC-97-1578-NOR-TS

DOCKET NO. 971453-TS

PAGE 6

the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).