

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rule 25-24.490, )	DOCKET NO. 891129-TL
F.A.C., regarding Customer Relations; )	
Rules Incorporated. )	ORDER NO. 22381
)	
)	ISSUED: 1-8-90

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NOTICE OF RULEMAKING

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-24.490, F.A.C., relating to Customer Relations; Rules Incorporated.

The attached Notice of Rulemaking will appear in the January 12, 1990, edition of the Florida Administrative Weekly. If requested, a hearing will be held at the following time and place:

9:30 a.m., Friday, February 9, 1990  
 Room 122, Fletcher Building  
 101 East Gaines Street  
 Tallahassee, Florida

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, 101 East Gaines Street, Tallahassee, FL, 32399, no later than January 29, 1990.

By Direction of the Florida Public Service Commission,  
 this 8th day of JANUARY, 1990.

  
 STEVE TRIBBLE, Director  
 Division of Records & Reporting

( S E A L )

DWS

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DOCUMENT NUMBER-DATE

00172 JAN-8 1990

FPSC-RECORDS/REPORTING

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 891129-TL

RULE TITLE:

RULE NO.:

Customer Relations; Rules Incorporated

25-24.490

PURPOSE AND EFFECT: The proposed change to Rule 25-24.490 would be a clerical change and indicate that all portions of proposed Rule 25-4.117, titled 800 service, are applicable to all telephone companies.

SUMMARY: The proposed revision to Rule 25-24.490, Florida Administrative Code, would incorporate proposed Rule 25-4.117, Florida Administrative Code, into its text to indicate that all portions of the proposed rule are applicable to all telephone companies.

RULEMAKING AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 364.03, 364.14, 364.15, 364.337, F.S.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT OF THESE RULES:

Telephone companies will experience no economic impact with the amendment to Rule 25-24.490, inasmuch as this amendment is merely a clerical change to incorporate proposed Rule 25-4.117 into its text.

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. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:  
TIME AND DATE: 9:30 A.M., Friday, February 9, 1990.

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PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THESE RULES AND THE ECONOMIC  
 IMPACT STATEMENT IS: Director of Appeals, Florida Public Service  
 Commission, 101 East Gaines Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE RULE IS:

25-24.490 Customer Relations; Rules Incorporated.

The following rules are incorporated herein by reference and  
 apply to interexchange companies. In the following rules, the word  
 'local' should be omitted or interpreted as 'toll', as they shall  
 apply only to interexchange and not local service.

(1) The following rules apply to all companies:

<u>Section</u>	<u>Title</u>	<u>Portions not Applicable</u>
25-4.111	Customer Complaint and Service Requests	Subsection (2)
25-4.112	Termination of Service by Customer	None
25-4.113	Refusal or Discontinuance of Service by Company	None
25-4.114	Refunds	None
<u>25-4.117</u>	<u>800 Service</u>	<u>None</u>

(2) The following rules apply to major interexchange  
 companies only:

<u>Section</u>	<u>Title</u>	<u>Portions not Applicable</u>
25-4.109	Customer Deposits	None
25-4.110	Customer Billing	Subsection (4)

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25-4.111(2) Customer Complaints &  
Service Reports

None

(3) A minor interexchange company may require a deposit as a condition of service and may collect advance payments for more one month of service if it maintains on file with the Commission a bond covering its current balance of deposits and advance payments (for more than one month's service). A company may apply to the Commission for a waiver of the bond requirement by demonstrating that it possesses the financial resources and income to provide assurance of continued operation under its certificate over the long term.

This subsection applies to all minor interexchange companies that apply for a certificate of public convenience and necessity on or after the effective date of this rule and will become applicable to all other minor interexchange companies 90 days after the effective date of this rule.

(4) Upon request, each company shall provide verbally or in writing to any person inquiring about the company's service:

- (a) any nonrecurring charge,
- (b) any monthly service charge or minimum usage charge,
- (c) company deposit practices,
- (d) any charges applicable to call attempts not answered,
- (e) a statement of when charging for a call begins and ends,
- (f) a statement of billing adjustment practices for wrong numbers or incorrect bills.

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In addition, the above information shall be included in the first bill to all new customers and to all customers presubscribing on or after the effective date of this rule, and in any information sheet or brochure distributed by the company for the purpose of providing information about the company's services. The above information shall be clearly expressed in simple words, sentences and paragraphs. It must avoid unnecessarily long, complicated or obscure phrases or acronyms.

Specific Authority: 350.127(2), F. S.

Law Implemented: 364.03, 364.14, 364.15, 364.337, F.S.

History: New 2/23/87.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julian O'Pry, Division of Communications

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULES:  
Florida Public Service Commission

DATE PROPOSED RULES APPROVED: January 2, 1990

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.