STATE OF FLORIDA



Commissioners: JOE GARCIA, CHAIRMAN J. TERRY DEASON SUSAN F. CLARK JULIA L. JOHNSON E. LEON JACOBS, JR.



DIVISION OF APPEALS DAVID SMITH DIRECTOR (850) 413-6245

Bublic Service Commission

April 29, 1999

Mr. Carroll Webb Joint Administrative Procedures Committee 120 Holland Building Tallahassee, Florida 32399

> Re: Docket No. 990375-TX - Proposed Amendments to Rule 25-24.835, F.A.C., Rules Incorporated

Dear Mr. Webb:

Enclosed are an original and two copies of the following materials concerning the above referenced proposed rule:

- 1. A copy of the rule.
- A copy of the F.A.W. notice.
- 3. A statement of facts and circumstances justifying the proposed rule.
- A federal standards statement.
- 5. No statement of estimated regulatory costs was prepared.

If there are any questions with respect to this rule, please do not hesitate to call on me.

As Affirmative Action/Equal Opportunity Employer

Sincerely,

iana W. Caldwell

Diana W. Caldwell Associate General Counsel

AMD24835.MRD Enclosures

AFA APP

CAF

CMU CTR EAG

LEG

MAS OPC RRR

SEC WAW

HTO

cc: Division of Records & Reporting ,

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0862

1	25-24.835	Rules Incorporated.		
2	The follow	ving rules are incorporated herein b	y reference and apply	
3	to alternative local exchange companies.			
4			Portions	
5	Section	Title	Applicable	
6	25-4.0161	Regulatory Assessment Fees	All	
7	25-4.043	Response to Commission Staff	All	
8		Inquiries		
9	25-4.036	Design and Construction of Plant	All	
10	25-4.038	Safety	All	
11	25-4.160	Operation of Telecommunications	All	
12		Relay Service		
13	25-24.480	Records and Reports: Rules	Subsection (2)	
14		Incorporated		
15	Specific Authority 350.127(2), 364.337(2) 427.704(8) FS.			
16	Law Implemented 364.183, 364.336, 364.337(2) FS.			
17	HistoryNew 12-27-95, Amended 4-8-98, XX-XX-XX.			
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CODING: Words underlined are additions; words in struck through type are deletions from existing law.

- 1 -

NOTICE OF PROPOSED RULEMAKING
FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 990375-TX

RULE TITLE:

RULE NO .:

Rules Incorporated

25-24.835

PURPOSE AND EFFECT: The purpose of the rule amendment is to insure that the alternative local exchange companies (ALEC) providers inform the Commission of any company address, phone number, and liaison changes. The effect of the rule amendment will insure that the Commission will have current company address, phone number, and liaison information or file for the ALECs.

SUMMARY: ALECs are currently not required to report company address, phone number, and liaison changes to the Commission. The rule as amended will now address this as a standard requirement for ALECs just as it does for the other telecommunication providers in Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The proposed rule is expected to impose insignificant costs on ALECs and the benefits received would outweigh the insignificant cost. Because no significant additional cost or negative impact is anticipated on the utilities, ratepayers, small business and small cities and counties, a SERC has not been prepared for the proposed rule amendment.

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), 364.337(2), 427.704(8) FS.

LAW IMPLEMENTED: 364.183, 364.336, 364.337(2) 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.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

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, (850) 413-6245.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-24.835 Rules Incorporated.

The following rules are incorporated herein by reference and apply to alternative local exchange companies.

		Portions
Section	Title	Applicable
25-4.0161	Regulatory Assessment Fees	All
25-4.043	Response to Commission Staff	All
	Inquiries	
25-4.036	Design and Construction of Plant	All

25-4.038 Safety

All

25-4.160 Operation of Telecommunications

All

Relay Service

25-24,480 Records and Reports; Rules

Subsection (2)

Incorporated

Specific Authority 350.127(2), 364.337(2) 427.704(8) FS.

Law Implemented 364.183, 364.336, 364.337(2) FS.

History--New 12-27-95, Amended 4-8-98,

NAME OF PERSON ORIGINATING PROPOSED RULE: Tony McCoy.

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: April 20, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

Volume 24, Number 51, December 18, 1998

Rule 25-24.835 Docket No. 990375-TX

STATEMENT OF FACTS AND CIRCUMSTANCES JUSTIFYING RULE

There is no current rule that addresses an ALECs responsibility to provide the Commission with updated company address, phone number, and liaison changes within 10 days of the change. By not requiring the ALECs to submit timely company information changes, the Commission is vulnerable to having inaccurate information on file, cannot process consumer complaints, and cannot notify the companies of impending regulatory matters.

STATEMENT ON FEDERAL STANDARDS

There is no federal standard on the same subject.