

NANCY B. WHITE
General Counsel - Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5558

May 19, 2004

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**Re: Petition by BellSouth Telecommunications, Inc. for Waiver
of Rules 25-9.004 and 25-9.006, Florida Administrative Code**

Dear Ms. Bayó:

Enclosed is BellSouth Telecommunications, Inc.'s Petition for Waiver of Rules 25-9.004 and 25-9.006, Florida Administrative Code, which we ask that you file in the captioned *new* docket.

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

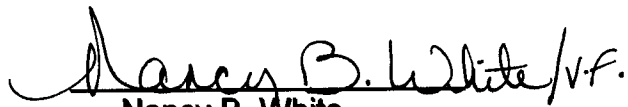
cc: Parties of Record
Marshall M. Criser III
R. Douglas Lackey

CERTIFICATE OF SERVICE
Petition by BellSouth Telecommunications, Inc.
for Waiver of Rules 25-9.004 and 25-9.006, Florida Administrative Code

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

Electronic Mail and First Class U.S. Mail this 19th day of May, 2004 to the following:

Beth Keating
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
bkeating@psc.state.fl.us


Nancy B. White

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by BellSouth Telecommunications,) Docket No.: _____
Inc. for Waiver of Rules 25-9.004 and 25-9.006,)
Florida Administrative Code)
_____) Filed: May 19, 2004

**BELLSOUTH TELECOMMUNICATIONS, INC.'S PETITION
FOR WAIVER OF RULES 25-9.004 AND 25-9.006,
FLORIDA ADMINISTRATIVE CODE**

BellSouth Telecommunications Inc., ("BellSouth"), pursuant to Section 120.542, Florida Statutes, and Rule 28-104.002, Florida Administrative Code, hereby petitions the Florida Public Service Commission ("Commission") to waive Rules 25-9.004 and 25-9.006, Florida Administrative Code, regarding the general instructions for tariff filings. In support of its Petition, BellSouth avers the following:

1. BellSouth is a local exchange company doing business in the State of Florida whose regulated operations are subject to the jurisdiction of the Commission pursuant to Chapter 364, Florida Statutes.

2. BellSouth's principal place of business in Florida is 150 W. Flagler Street, Suite 1910, Miami, Florida 33130. Pleadings and process may be served upon:

Nancy B. White
c/o Nancy H. Sims
150 South Monroe Street
Suite 400
Tallahassee, FL 32301

3. Rule 25-9.004, Florida Administrative Code, requires that tariffs be submitted to the Commission in quadruplicate and in the form specified in Rule

25-9.006, Florida Administrative Code. Rule 25-9.006, Florida Administrative Code, requires that tariffs be submitted in paper format.

4. In March, 2004, at the Commission's Internal Affairs conference, the Commission voted to implement an electronic telephone tariff filing trial program effective July 1, 2004 and lasting for six months. Attached as Exhibit A are the details of the pilot program. BellSouth intends to participate in this trial.

5. Rules 25-9.004 and 25-9.006, Florida Administrative Code are based on Sections 364.04, 366.05(1), 367.041(2) and 367.091, Florida Statutes. The purpose of these statute sections is, in part, to ensure that the Commission has on file and open to public inspection, schedules showing the rates and terms and conditions of the telecommunication company's service performed within the state.

6. The Commission's electronic telephone tariff filing program will accomplish the purpose of the statutes. BellSouth's tariffs will be on file with the Commission and open to public inspection.

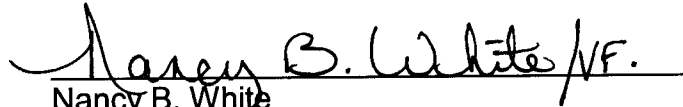
7. BellSouth believes that its petition is in the public interest and that the Commission's electronic telephone tariff filing trial will serve the same purpose as the Commission's general tariff filing rules.

8. At this time, BellSouth is seeking a temporary waiver of the rules specified herein for the length of the Commission's trial period. It is BellSouth's understanding that the trial will begin July 1, 2004 and last for six months.

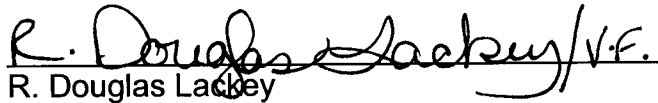
WHEREFORE, BellSouth requests that the Commission grant this Petition for Waiver.

Respectfully submitted this 19th day of May, 2004.

BELLSOUTH TELECOMMUNICATIONS, INC.

Handwritten signature of Nancy B. White in cursive, with a horizontal line drawn across the signature.

Nancy B. White
c/o Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301
Tel. No. (305) 347-5558

Handwritten signature of R. Douglas Lackey in cursive, with a horizontal line drawn across the signature.

R. Douglas Lackey
675 W. Peachtree Street, Suite 4300
Atlanta, GA 30375
(404) 335-0747

538298

State of Florida



*Must take care
Division of*

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: March 8, 2004

TO: Mary Andrews Bane, Executive Director

FROM: Division of Competitive Markets & Enforcement (Bates, Gilchrist) *BGS*
 Commission Clerk & Administrative Services (Kissell, Dockham, Flowers, Newman, Legaspi) *RACF*
 Office of the General Counsel (Keating, Susac) *HC* *JK* *MS*

RE: E-Tariff Pilot Program to accept electronically filed telephone tariffs.
Critical Information: Please place on March 16, 2004 Internal Affairs. FPSC approval of trial is requested.

Staff is requesting approval of an electronic telephone tariff filing pilot program. On July 18, 2003 and December 3, 2003, members of the Florida Telecommunications Industry Association (FTIA) met with FPSC staff to discuss a pilot program whereby a limited number of telecommunications companies would file their tariffs and/or price lists electronically via e-mail. The FTIA submitted a written proposal in its letter dated October 7, 2003 (Attachment A). FPSC staff met on January 9, 2004 to finalize its requirements for a pilot program, and met again with FTIA members on January 14, 2004 to present staff's proposal (Attachment B).

FTIA member companies AT&T, BellSouth, Frontier Communications of the South, Quincy Telephone/TDS, Sprint, and Verizon will participate in the E-Tariff Pilot Program. Each company will provide a specific e-mail address from which they will send filings and receive confirmation of receipt or rejection. The Companies will e-mail their tariff filing packages to telephone.tariffs@psc.state.fl.us, and these filings will be accessible to designated FPSC staff for logging into the Tariff Filing Information System (TFIS). The date and time of receipt of the package will be contained in an automatically generated response, and will determine the filing date. Electronically filed tariff packages will be available on the Internet at the FPSC website for access by FPSC staff, Companies, and consumers after being logged into TFIS. After being logged into TFIS and assigned a Tariff Number, the tariff package will be reviewed in accordance with Commission Rules. All electronically filed tariff packages will be available in either electronic or paper format.

The staff proposal for the E-Tariff Pilot Program is intended as a six-month trial for a limited number of participants and is designed to streamline the telephone tariff filing process by eliminating the need for Companies to file hard copies of each tariff filing. Participating companies will receive an automated response acknowledging receipt of their tariff filings. In addition, the E-Tariff Pilot Program will save time in processing of tariff filings. Staff will not be required to place the "tariff stamp" on four sets of tariff pages or generate a transmittal letter to participating Companies. If, after four months, the pilot program is running smoothly, staff would develop plans to extend and expand the program. In this way, the trial participants would continue to be able to submit tariffs electronically after the pilot ends.

Exhibit A



October 7, 2003

Ms. Beth Salak, Director
Competitive Markets & Enforcement Division
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: FL PSC E-Filing Project – On-Line Tariffs

Dear Ms. Salak:

Representatives from the Florida Telecommunications Industry Association (FTIA) recently met with Florida Public Service Commission Staff to discuss the possibility of implementing an electronic tariff filing (E-tariff) project. The meeting was an opportunity for FTIA to outline the parameters of the program and to gauge Staff's interest in pursuing such an activity on a limited, trial basis.

FTIA believes there are tremendous benefits for the PSC, the industry and the public in employing E-Tariff filing capabilities. Other state commissions, most notably Texas, Missouri and Michigan, have instituted similar functionality with great results. The PSC already has gained much experience with electronic filing capabilities. The E-Filing project has significantly eased the burden of filing requirements for companies and greatly enhanced the ability of parties to access information contained on the PSC's website. We believe filing tariffs electronically and having the tariffs posted to the PSC's website will also be a worthy and successful undertaking.

Outlined below is the general process that was developed during our discussions with Staff:

1. Filing Format and Submission Format

- The PSC will establish a dedicated email address for each company to submit tariffs. Only a designated company contact would be able to submit tariffs electronically to the PSC. The rationale behind setting up individual email boxes and single points of contact would eliminate the possibility of multiple versions of the same tariffs from a company and provide a measure of

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security for the PSC to ensure that the tariff being submitted is actually the correct version.

- A company would submit tariffs electronically via e-mail. In the email the company would include a brief description of the tariff filing. This description would be in the body of the email message. Essentially, this would be the general information contained in the cover letter to the PSC advising the Commission of the tariff pages that are being revised. The filing would include all of the information (cover letter, tariff, and legislative pages) that is submitted today in the "paper process." However the documents would be filed as attachments to the e-mail in .pdf format.

2. Posting of Filings to PSC Website

- The PSC would post the filings to their website for each company at the "Companies Regulated by the PSC" section of the PSC website. Only the individual tariff would be posted to the website, thereby eliminating the need for the PSC to continuously update the entire tariff of a company.
- At the same location, the PSC would provide a link to the company's tariff website. This would enable Staff and other interested parties to access a company's entire tariff.

3. Notifications/ Response Confirmation

- The PSC would provide auto-responses to an e-mail tariff filing confirming the PSC's receipt of the filing. This auto-response would serve as the notification to the company that the tariff had been received. The effective date of the tariff would be determined by the receipt date contained in the PSC's notification.
- Also discussed during the meeting was how to manage deadlines for filing tariffs via the electronic process. Since e-mail filings can be tracked easily in an electronic environment, the deadline for a tariff filing would be 5:00 p.m. EST, which is the standard deadline for filing at the PSC. If a filing was received by 5:00 p.m. EST it would be presumed to be filed. The auto-response message would immediately follow alerting the filing company of the date and time the tariff was received by the PSC's email system. This auto-reply would be the company's notification that filing had been accepted.

4. Trial Period & Participants

- FTIA members propose an initial trial period of six months. This would provide an adequate time period to measure the success or identify any concerns. It is envisioned by FTIA that any refinements to the process could be made during the trial as issues arise.
- Initially, FTIA proposes a trial with limited participants. FTIA would like to suggest the following companies as participants:

AT&T
BellSouth
Frontier Communications of the South, Inc.
Sprint
Verizon

Although there are still some details that need more investigation before a trial may be launched, FTIA believes such a procedure would provide many benefits to the PSC Staff in alleviating unnecessary "paperwork". FTIA would enjoy the opportunity to further explain and demonstrate this easy, flexible solution, which will greatly enhance the PSC's already successful E-Filing Project. Please do not hesitate to contact me with any questions, and to further explore how the PSC and FTIA may work collaboratively in launching this next phase of the PSC's on-line capabilities.

Sincerely,

Susan C. Langston
Executive Director

cc: Beth Keating
Jackie Gilchrist
Sally Simmons
Jeff Bates

Attachment B

Electronic Tariff Filings (E-Tariffs)

Members of the Florida Telecommunications Industry Association have requested to file tariff filings via electronic mail instead of postal mail, hand, or overnight delivery. Staff has studied the proposal and set the following criteria for the E-Tariff Pilot Program.

Each Company participating will have to file a request for a rule waiver specific to the filing of tariff revisions.

The following Companies will participate in the E-Tariff Pilot Program:

- AT&T
- BellSouth
- Frontier Communications of the South
- Quincy/TDS Telecom
- Sprint Florida
- Verizon

Filing Format and Submission Format

- The participating companies will address all tariff filings to telephone.tariffs@psc.state.fl.us
- Each Company will provide a specific e-mail address from which to send filings and to receive receipt confirmation/rejection.
- Each Company may provide a specific web address where the complete tariff will be located. (This will be linked from the page where the Company information obtained from the Master FPSC Directory is located at the FPSC website.)

E-mail addressed to the FPSC "tariff server" will include:

- Specific e-mail addresses agreed upon above
- The subject line will begin with the Company Code of the specific Company (TI, TL, TX, TJ)
- The text of the e-mail will be the traditional transmittal letter
- In addition to the above, the e-mail will have ONE attachment consisting of the transmittal letter, legislative format (if required), and one set of the revised tariff or price list pages.
- The attachment will be in PDF Text + Image format

Notifications/Response Confirmation

- Received filings will generate an automated response with a unique tracking number.
- The receipt will be forwarded to the Company provided e-mail address

- In addition, a receipt notice will be sent to an e-mail box accessible to designated FPSC staff with notification to them.
- The date and time on the receipt will determine the filing date.
- E-mail receipts will take the place of a FPSC tariff letter for companies participating in the pilot. These letters are normally sent to the companies once a tariff filing has been reviewed and inserted in the tariff on file at the FPSC.
- Staff has developed the following standard language for e-mail receipt:

1. "Acknowledged" filings:

Thank you for filing your tariff or price list electronically on _____ at _____. Tracking number: _____.

Your e-mail and its attached electronic filing will be opened, printed, and entered into the Tariff Filing Information System (TFIS).

If your filing was received no later than 5:00 P.M. Eastern Time on a normal Commission workday, it will be considered "filed" on that day. If the filing was received after 5:00 P.M. Eastern Time, or on a weekend or State of Florida holiday, it will be considered as filed on the next business day.

You are reminded that, pursuant to Rule 28-106.104(8), F.A.C., if you elect to file any document by electronic transmission, you are responsible for any delay, disruption, or interruption of the electronic signals and accept the full risk that the document may not be properly filed as a result.

Do not reply to this automated response."

2. The basic "rejected" filings language will include:

"This E-mail is an automated response to your Electronic Tariff filing. Your electronic tariff filing was rejected automatically on _____ at _____ because _____.

You are reminded that, pursuant to Rule 28-106.104(8), F.A.C., if you elect to file any document by electronic transmission, you are responsible for any delay, disruption, or interruption of the electronic signals and accept the full risk that the document may not be properly filed as a result.

Do not reply to this automated response."

3. Reasons for rejecting filings on a case-by-case basis:

- a) The filing did not include an attachment;
- b) The attached file was not in PDF format;
- c) The filing contained more than one attachment;
- d) The company code is not valid for the originating e-mail address; and

- e) It did not originate from the Commission recognized e-mail address authorized by the Company
- 4. All automated responses will be forwarded to designated FPSC staff members and will be printed and maintained with the hard copy of the filing for future reference.

Posting of filing package to FPSC Website

The procedure for processing tariff filings electronically would not be very different from the procedure currently in place. In short, the primary difference would be in the delivery method. When companies file electronically, the procedures will be:

- The Company will e-mail the tariff filing to the aforementioned tariff e-mail address;
- The tariff server will generate an automated, numbered receipt for the e-filing made (this should be for either an accepted or rejected filing);
- Tariff Clerk will log the accepted tariff filing into TFIS (Tariff Filing Information System);
- The TFIS system will link automatically to the FPSC Website, automatically making them available from the Internet.
- FPSC website tariff query responses will indicate that only filings made electronically via the pilot program are actually available and will indicate the starting date of the pilot.
- Target Pilot Implementation: July 1, 2004

Handling of replacement sheets or filings

Filings which require replacement sheets or filings which must be completely replaced will be associated with the original filing which has been entered into TFIS. The original Tariff Number must be referenced in the text of any subsequent e-mail which replaces all or part of the original filing.