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- (7) Complaint is a complaint as defined in 4 CSR 240-2.070.
- (8) Customer is any individual that accepts financial and other responsibilities in exchange for telecommunications service.
- (9) Delinquent account is an account which has undisputed charges that are not paid in full by the due date.
- (10) Deposit is a money advance to a telecommunications company for the purpose of securing payment for telecommunications services.
- (11) Discontinuance of service or discontinuance is a cessation of service not requested by a customer.
- (12) Guarantee is a written promise from a responsible party to assume liability.
- (13) In dispute is any matter regarding a charge or service which is the subject of an unresolved inquiry.
- (14) Inquiry is any written, electronic or oral comment or question regarding a charge or service.
- (15) Letter of agency is a letter or other document sent by a customer to a telecommunications company authorizing the telecommunications company to change the telecommunications service provider for that customer.
- (16) New customer is any customer who has no prior service history with the telecommunications company with whom service is being requested.
- (20) Prospective customer is any individual with whom or by whom service is being requested.
- (21) Rendition of a bill is the date a bill is mailed, posted electronically or otherwise sent to a customer.
- (22) Settlement agreement is an agreement between a customer and a telecommunications company which resolves any matter in dispute between the parties or provides for the payment of undisputed charges over a period longer than the customer's normal billing period.
- (23) Tariff is a statement by a telecommunications company that sets forth the services offered by that company, and the rates, terms and conditions for the use of those services.
- (24) Telecommunications company is a telephone corporation as defined in section 386.020(51), RSMo Supp. 1998.
- (25) Termination of service or termination is a cessation of service requested by a customer.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 1999 (24 MoReg 2351). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: This rescission was proposed in conjunction with a replacement proposed rule. The comments received were directed to the proposed rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 33—Service and Billing Practices for
Telecommunications Companies**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under sections 386.040, RSMo 1994, and 386.250 and 392.200, RSMo Supp. 1999, the commission adopts a rule as follows:

4 CSR 240-33.040 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 1999 (24 MoReg 2351-2354). Those sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One written comment was received to each of section (1), subsections (6)(C), subsection (6)(D), and subsection (6)(I). Two written comments were received to each of sections (3) and (4). Three written comments were received to section (2). Three written comments and one oral comment at the public hearing were received to section (5). Two written comments were received to subsection (6)(A). Two written comments and one oral comment at the public hearing were received to subsection (6)(F). Four written comments and one oral comment at the public hearing were received to subsection (6)(I). Comments regarding the rule in general were received in writing and orally at the public hearing.

COMMENT: One written comment suggested that section (1) of the rule require the company to render a bill to each customer for each billing period.

RESPONSE: The Commission has included in section (1) of the proposed rule a requirement that a bill be rendered for each billing period except when the bill has a zero balance. The commenter stated no reason why a company should be required to render a bill to a customer in months when there is no balance outstanding. The Commission finds that no changes to this proposed rule are required as a result of this comment.

COMMENT: One written comment was received suggesting that section (2) be amended to include the following: Billing cycles may be altered if the affected customers are sent an insert or other written notice explaining the alteration not less than thirty (30) days prior to the effective date of the alteration. This notification is not required when a customer requests a number change or when the customer disconnects and reconnects service or transfers service from one (1) premise to another. The commenter believes this change would allow the companies flexibility to change the billing cycle which exists under the current rule.

RESPONSE: The Commission finds that the rule as proposed may be inflexible in that it only allows customer bills to be rendered on

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**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 33—Service and Billing Practices
for Telephone Utilities**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250(11), RSMo Supp. 1999, the commission rescinds a rule as follows:

4 CSR 240-33.040 Billing and Payment Standards is rescinded.

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Missouri Public
Service Commission

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a monthly basis. However, it has been the Commission's experience that a notice to the customer indicating that a billing cycle will be altered does not give the customer flexibility if a company should decide to institute bi-monthly or quarterly billing cycles. Therefore, in order to balance the interests of both company and customer, the Commission will require that billing be done on a monthly basis unless the customer has otherwise agreed to change the billing cycle or as otherwise provided in these rules.

COMMENT: One written comment recommended that the rule require that the "billing period . . . be no less than 28 days and no more than 62 days unless the customer agrees to a different time in writing."

RESPONSE: The Commission finds that the rule as proposed may be inflexible in that it only allows customer bills to be rendered on a monthly basis. The commenter's proposal would allow the company the flexibility of lengthening billing cycles but would restrict billing cycles to no more than 62 days. The commenter did not state any reason for its suggestion that billing cycles be between 28 and 62 days. Therefore, in order to balance the interests of both company and customer, the Commission will require that billing be done on a monthly basis unless the customer has otherwise agreed to change the billing cycle or as otherwise provided in these rules.

COMMENT: One written comment suggested that the language in section (2) be amended so that the words "the bill is rendered" be used in place of the words "a customer receives the bill." The commenter states that since the term "rendition of bill" is defined in rule 33.020, this amendment will maintain consistency within this chapter.

RESPONSE AND EXPLANATION OF CHANGE: The Commission agrees with the commenter. The Commission finds that section (2) should be amended so that the cyclical basis of a bill is determined by when the bill is rendered rather than when the bill is received by a customer.

COMMENT: Two written comments and one oral comment at the public hearing on this rule were received which suggested that sections (3) and (4) as proposed should be replaced with sections (3) and (4) as they exist in the rule which is currently in effect. One of the commenters states that "[t]he removal of the ability to obtain prompt payment for an unusually high level of toll calling, coupled with the proposed removal of the ability to disconnect local service for non-payment of toll, will likely lead to higher uncollectibles and collection costs."

RESPONSE: The Commission finds that telecommunications companies have other means of protecting their interests in collecting payments from delinquent customers. The language suggested by the commenters would allow the telecommunications company to demand payment by telephone call of a customer whose toll charges for the current billing period exceed 400% of that customer's deposit or guarantee with the company. The Commission is not opposed to telecommunications companies collecting delinquent accounts and keeping the amount of its uncollectibles low. However, the Commission finds that amending the proposed rule to include the suggested language may create a situation where a customer is put in immediate collection status merely because that customer has had a family emergency which has required extraordinary toll charges and not because that customer is a "bad actor." The Commission finds that no changes to this rule are necessary as a result of these comments.

COMMENT: Three written comments were received which indicated support for section (5) of the Commission's proposed rule which allows a penalty charge to be assessed on a delinquent account. However, one written comment stated that the penalty charge should not be required to be tariffed because it is not a reg-

ulated telecommunications service. One oral comment (SWBT) was received at the public hearing on this rule as well. The commenter testified that he also did not believe that the penalty charges for a delinquent account were telecommunications services that must be included in the company's tariff. However, the commenter did state that the telecommunications company he represents currently does include these charges in its tariffs.

RESPONSE: The Commission finds that it is reasonable to require a telecommunications company to include in its tariff any charges for delinquent accounts. A company's tariff may be the only method by which the general public is put on notice of such penalties. Furthermore, these types of charges are currently routinely included in tariffs submitted to the Commission by telecommunications companies. The Commission finds that no changes to this rule are necessary as a result of these comments.

COMMENT: Two written comments suggested that subsection (6)(A) should be revised to delete the term "main station" and replace it with "access lines." The commenters indicated that this amendment will be consistent with the current terminology and technology of the industry.

RESPONSE AND EXPLANATION OF CHANGE: The Commission finds that the subsection should be amended. The Commission will amend subsection (6)(A) to replace the term "main stations" with the term "access lines."

COMMENT: One written comment suggested that the rule require that the customer's bill state the date after which the bill becomes delinquent.

RESPONSE: Subsection (6)(C) as proposed requires that the bill clearly state "the date the bill becomes delinquent if not paid," therefore the Commission finds that no change to this proposed rule is necessary as a result of this comment.

COMMENT: One written comment was received which opposed including the words "and advance payments" in subsection (6)(D) and the words "and/or advance payments" in subsection (6)(J). The commenter indicated that within its company, the only advance payment will be for installation and will be applied to the first bill. The commenter stated that there will be no advance payment to show on any subsequent bill. The commenter stated that the advanced payments are only necessary to show on the first and last bills.

RESPONSE: Subsection (6)(D) clearly states that advance payments shall be included on the bill "if any" exist. Thus, if there is no advance payment, as the commenter suggests often happens, no advance payment will need to be included. Subsection (6)(J) is being revised as a result of other comments received. The changes to subsection (6)(J) and the addition of new section (7) should address the commenter's concerns. Therefore, Commission finds that no changes are necessary to the proposed rule as a result of this comment.

COMMENT: One telecommunications company submitted a written comment and had a representative testify at the public hearing opposing the requirement in subsection (6)(F) that the bill include "an itemization of the amount due." The commenter stated that it believes it would be confusing to customers to see such an itemization on their monthly bill because the charges for individual services that have been sold as a package will be more expensive than the charge for the package. At the hearing the company representative stated that it was his interpretation of the proposed rule that the companies would be required to break down each service for basic service even more than they do under the current rule.

RESPONSE AND EXPLANATION OF CHANGE: The Commission finds that the benefits to the customers of having an itemized list of services so that the customers are fully informed of what services they use and pay for are greater than the potential

confusion that a customer might experience by seeing those individual services itemized. However, the Commission did not intend to require that the separate rate for each component of a service be shown. The intent of this rule was to inform the customer of the services that are included in the package, such as caller ID, call forwarding, etc. Therefore, the Commission will amend subsection (6)(F) to require only the amount due for basic service. In addition, the Commission will add new subsections (6)(G) and (6)(H) to require an itemization of costs for each service provided individually, and an itemization of each service provided in a package. The Commission will also renumber subsections as necessary.

COMMENT: One oral comment was received from a representative of the Staff of the Commission at the public hearing on this rule. The Staff representative stated that Staff interpreted the proposed subsection (6)(F) as requiring the companies to breakdown what services were being billed to the customers but not a requirement that the individual rate for each of those services in the package.

RESPONSE AND EXPLANATION OF CHANGE: The Commission agrees with the Staff interpretation of the rule and has made amendments to clarify this subsection as a result of this and other comments received.

COMMENT: One commenter submitted a written comment suggesting that the words "if the customer subscribes to the basic rate schedule" be added to the end of subsection (6)(F). The commenter indicated that this would allow the companies to provide call detail in optional calling plans at the customers request but also to charge the customer the cost of providing the detail. The commenter states that the Commission has previously approved this arrangement in Case No. TT-99-191.

RESPONSE: The Commission has made revisions to subsection (6)(F) as a result of other comments. Those revisions should address the concerns of the commenter. Therefore the Commission finds that no additional changes to this proposed rule are necessary as a result of this comment.

COMMENT: One written comment was received which stated that "[t]hird party billing aggregators should not be listed on the bill." The commenter indicated that this can be confusing to customers and that only the company that "engaged in the transaction with the customer" should be shown on the bill along with its address and toll free telephone number. The same commenter also stated that "[a] separate toll free number must be provided for each company making charges on the customer's bill and shall include not only the name and toll free number of any billing company or agent but also shall state the company and toll free number for the company who provided the service charged."

RESPONSE AND EXPLANATION OF CHANGE: The commenters statements appear to be inconsistent. The Commission agrees that customer bills for telecommunications service can be confusing. It is especially confusing when a billing agent with which the customer has had no interaction bills the customer for the service of another company. However, the Commission's rule, as proposed requires that the bill "clearly state. . .[t]he toll free telephone number(s) where inquiries and/or dispute resolutions may be made." Thus, the Commission finds that no further restrictions or requirements in this rule are necessary. The Commission will amend the proposed rule to attempt to clarify that a toll free telephone number where inquiries may be made shall be provided for each company making charges on the customer's bill.

COMMENT: Four written comments and one oral comment at the hearing were received regarding the requirements in section (6) that each month the bill state the amount of the customer's deposit and the accrued interest. The commenters suggested that subsection (6)(J) be deleted from the proposed rule because it would

require the companies to include confusing or redundant information and require some companies to redesign their bills to include this information. One commenter stated that proposed rule 33.050(4)(F) requires that the company provide the deposit information to the customer upon request and therefore, it is unnecessary to provide this information to customers on a monthly basis. One of the commenters suggested that an alternative would be to require the companies to include deposit and interest information on the first bill after the deposit is received and on the customer's last bill. Other commenters recommended the information be provided on annual basis. Two commenters also opposed subsection (6)(K), stating that the amount of deposit and interest accrued will be on the customers last bill and need not be provided every month.

RESPONSE AND EXPLANATION OF CHANGE: The Commission has considered the comments provided by the telecommunications industry and has determined that requiring the amount of the deposit to be stated on the first and last bills and upon request as required in proposed rule 33.050(4)(F) will provide adequate information to customers and will avoid redundant and confusing information on the bill. The Commission also finds that proposed subsection (6)(D) requires that advanced payments be included on the customer's bill where necessary and thus, subsection (6)(J) referring to advanced payments is redundant. The Commission will delete subsection (6)(J), amend subsection (6)(K), and restate the new requirement as a new section (7). The Commission will also renumber subsections accordingly.

COMMENT: One written comment suggested that section (8) of the rule currently in effect should be added to the proposed rule. That language would require an itemization of charges for equipment and service during the first billing period. The commenter indicates that this itemization is important to help customers know which services they are being billed for and will help curb the problem of "cramming."

RESPONSE AND EXPLANATION OF CHANGE: The Commission finds that it is important for customers to be aware of the equipment and services for which they are being charged. The Commission also finds that by including a requirement that these charges be itemized on the first bill the customer receives may help to alleviate the problem of "cramming" (being charged for services the customer did not knowingly authorize). Therefore, the Commission will amend the proposed rule by adding a new section (8) that requires an itemization of equipment and services on the customer's first bill.

COMMENT: One written comment suggested that "[c]harges for different services should be separated from basic local and toll charges by symbol or separate pages." The commenter also suggested that the bill should include "a single page summary of the current status of the customer's services, including presubscribed interstate and intraLATA toll carriers, [local exchange company], other service providers and whether there are preferred carrier freezes or other blocking measures."

RESPONSE: The specific items that the commenter requests are included in the rule as proposed. The only exception is that the rule does not require the information to be set off by a symbol or separate page. The Commission finds that the rule as proposed requires the company to make its bill "clear" and therefore, the Commission need not require specific symbols or page breaks. Therefore the Commission finds that no change to this rule is necessary as a result of this comment.

COMMENT: One written comment was received which suggested that rule 33.040 should apply to business customers as well as residential. The commenter stated that small businesses did not have the economic resources or the bargaining power to negotiate

special discounts and therefore, business customers should be given the same rights and protections as residential customers.

RESPONSE: The Commission finds that this rule should not be uniformly applied to residential customers and to both large and small business customers. While it is true that not every business customer has the resources or bargaining power that a large business might have to protect itself, the Commission finds that applying this rule uniformly could result in a reduction in these competitive companies' abilities to negotiate a contract. The Commission also finds that it would want to seek comment on that specific proposal before adopting it as a rule, and therefore has determined that no change to this proposed rule should be made at this time. The Commission notes that this proposal would be better suited for a separate rulemaking proceeding where it can be subject to comment and scrutiny of the general public and the industry involved.

COMMENT: One written comment suggested that this rule include a prohibition on a category of charges titled "miscellaneous." The commenter stated that bills for telecommunications services were complex enough and should not include charges for any items other than telecommunication related services. The commenter also made a general statement that some interexchange companies incorrectly identify access costs for local exchange companies and universal support mechanisms as federally mandated charges. The commenter further suggested that the bills must use plain language to describe any service billed and that the rule should require that the bill include a statement informing the customer that the company, at the customer's request, must cancel any optional services without charge.

RESPONSE: The Commission agrees that customer bills should be as clear and concise as possible, yet still contain accurate and complete information. The Commission's rule as proposed requires that the bills be stated "clearly." The Commission finds that there are sufficient protections in the requirements and restrictions of this chapter to protect the residential customer and that no further restriction on a "miscellaneous" category is necessary. The Commission also finds that specific instances of false or misleading information on customer bills should be addressed through this Commission's or the Federal Communications Commission's complaint procedures. The Commission determines that no changes to this rule are necessary as a result of this comment.

COMMENT: A written comment was received which suggested that the customer's bill include a separate section titled, "Status Change." This section would show any changes in customer services, thereby helping customers to notice unauthorized charges more promptly.

RESPONSE: The Commission finds that customer bills are complicated. However, the Commission does not have sufficient information to determine that creating a new section on the bill, which may list charges that are shown elsewhere on the bill, will make those bills any less complicated or any less confusing. Therefore, the Commission finds that no change to this rule is required as a result of this comment.

COMMENT: One written comment made the following statement: "Where any undercharge in billing of a customer is the result of a company mistake, the company may not backbill in excess of 2 months and must allow the customer to pay any such backbilling in installments."

RESPONSE: The Commission assumes that the commenter is suggesting the rule be amended so that if a customer is undercharged due to a company mistake, that company must allow the customer to pay the bill in installments. The comment is not clear but it also appears that the commenter is suggesting that the customer should receive a windfall for any charges for which it has not been billed due to company error in excess of two months. The

Commission finds that these suggestions would require additional restrictions which have not been contemplated and for which the Commission would prefer to have public comment before implementing. Therefore, the Commission finds that no change is necessary as a result of this comment.

COMMENT: One written comment and one oral comment at the public hearing were received which generally objected to rule 33.040. The commenters, which represented a single telecommunications company, stated that "[e]ach telecommunications provider should be free to establish its own unique billing and payment procedures." The commenters stated that this ability was part of the competitive process.

RESPONSE: The Commission finds that it has an interest in regulating the billing and payment procedures of a public utility in order to assure that customers of those companies can interpret those bills and protect their interests where necessary. The Commission determines that no amendment to this rule is necessary as a result of this comment.

COMMENT: One person testified at the public hearing for this rule, that he found the information he received from long distance companies, in particular, confusing. The commenter stated that often when he received his bill for services after agreeing to the service during a telephone communication with the company, that the bill did not reflect what he understood the charges were going to be. The commenter questioned what authority the Commission had over the billing practices and charges of these companies and suggested by his comments that the Commission should regulate these activities more closely. The commenter stated that competition in the telecommunications industry has created much confusion to customers and that he preferred each company to have only one plan available for easy comparison.

RESPONSE: The Commission is aware of the confusion that has been caused by competition in the telecommunications industry. The rules proposed by the Commission are an attempt to standardize some of the billing practices of these companies so that customer confusion is minimized. The Commission's jurisdiction with regard to charges of long distance companies is limited. Therefore the Commission will continue to implement rules and procedures which it believes will best balance the interests of the customers and the interests of the companies. The Commission thanks the commenter for his comments. The Commission finds that no additional amendments to this rule are necessary as a result of this comment.

COMMENT: One oral comment was received from a representative of the Staff of the Commission at the public hearing on this rule. The commenter stated that many of the calls from telecommunications company customers received by the Commission are due to miscommunication and advertising of long distance carriers.

RESPONSE: The Commission agrees that advertising and marketing practices of some long distance companies can be confusing. However, the Commission does not have jurisdiction with regard to many of these practices. The rules as proposed in this chapter, are for the regulation of local exchange companies' billing practices that are within the Commission's jurisdiction. The Commission finds that no changes to the rule as proposed are necessary as a result of this comment.

4 CSR 240-33.040 Billing and Payment Standards for Residential Customers

(2) Except where otherwise authorized by these rules, a telecommunications company may render bills on a cyclical basis if the bill

is rendered on or about the same day of each month or as otherwise agreed to by the customer.

(6) Every bill shall clearly state—

- (A) The number of access lines for which charges are stated;
- (B) The beginning or ending dates of the billing period for which charges are stated;
- (C) A statement of the date the bill becomes delinquent if not paid;
- (D) Penalty fees and advance payments, if any;
- (E) The unpaid balance, if any;
- (F) The amount due for basic service;
- (G) An itemization of the amount due for all other regulated or nonregulated services including the date and duration (in minutes or seconds) of each toll call if such service is provided as an individual service;
- (H) The amount due for all other regulated or nonregulated services offered at a packaged rate and an itemization of each service included in the package;
- (I) An itemization of the amount due for taxes, franchise fees and other fees and/or surcharges which the telecommunications company, pursuant to its tariffs, bills to customers;
- (J) The total amount due;
- (K) A toll free telephone number where inquiries and/or dispute resolutions may be made for each company with charges appearing on the customer's bill;
- (L) The amount of any deposit, advance payments and/or interest accrued on a deposit which has been credited to the charges stated; and
- (M) Any other credits and charges applied to the account during the current billing period.

(7) The amount of any deposit held by the company and the interest accrual rate shall be stated on the first bill for which a customer received service and on the last bill for which the customer received service.

(8) During the first billing period in which a customer receives service, a customer must receive a bill insert or other written notice that contains an itemized account of the charges for the equipment and service for which the customer has contracted.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 33—Service and Billing Practices for Telephone Utilities

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250(11), RSMo Supp. 1999, the commission rescinds a rule as follows:

4 CSR 240-33.050 Deposits and Guarantees of Payment is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 1999 (24 MoReg 2355). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: This rescission was proposed in conjunction with a replacement proposed rule. The comments received were directed to the proposed rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 33—Service and Billing Practices for Telecommunications Companies

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under sections 386.040, RSMo 1994, and 386.250 and 392.200, RSMo Supp. 1999, the commission adopts a rule as follows:

4 CSR 240-33.050 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 1999 (24 MoReg 2355-2358). Those sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Seven written comments from various telecommunications companies and state agencies were received. In addition, four witnesses or representatives of companies or state agencies made comments at the public hearing held on November 15, 1999.

COMMENT: Two written comments objected to section (1) because it suggests that a deposit may not be required until after service is provided. One commenter suggested that the language be changed to mirror the language of the rule currently in effect. A representative of this same company made similar remarks at the public hearing on this proposed rule.

The second commenter stated that section (2) of this proposed rule addresses deposits that may be required for continued service and therefore, section (1) addresses deposits required in advance of obtaining service. The second commenter suggested amending section (1) by adding the words "prior to or" before the phrase "within thirty (30) calendar days."

RESPONSE AND EXPLANATION OF CHANGE: The rule as proposed was intended to give the company the option of requiring the deposit at any time within 30 days of providing service. Thus, the deposit could be required up to 30 days prior to service being provided, or up to 30 days after service had been provided. Upon review of the comments to this rule, the Commission determines that the rule should be amended to clearly state that a deposit may be required prior to service being provided. Therefore, the Commission will amend section (1) for clarification purposes.

COMMENT: One written comment suggested that section (1) be clarified. The commenter stated that the timing of the request for a deposit as a condition of new service was not as significant as those conditions being stated in the tariffs of the company. The commenter suggested alternative language for section (1) as follows: (1) A telecommunications company may require a deposit or guarantee as a condition of new service as stated in the company's tariff. The commenter explained that this alternative would allow the companies to set varying conditions for deposits with approval of the tariff by the Commission. The commenter also made statements at the public hearing in response to Commission questions. At the hearing, the commenter stated that there was no objection from the Staff of the Commission to the companies collecting a deposit before service was provided.

RESPONSE AND EXPLANATION OF CHANGE: The Commission agrees that section (1) should be clarified. The rule as proposed was intended to give the company the option of requiring the deposit at any time within 30 days of providing service.

RECEIVED

MAR 15 2000

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION