ALABAMA PUBLIC SERVICE COMMISSION
ADMINISTRATIVE CODE

CHAPTER 770-X-5
TELEPHONE RULES

770-X-5-.05 Customer Relations.

(1) Rate and Special Charges Information

(a) Customer Quotes to Fully Disclose Total Billed Charges.

1. For prospective customers of residential intrastate services (excluding broadband services) and business services for which the Commission retains jurisdiction under the Act, telephone utilities shall disclose all nonrecurring charges and recurring charges that will be included on the customer's bill. Quotes may be given orally unless the prospective customer requests a written quote. Recurring charges may be quoted separately from nonrecurring charges. Telephone utilities will list all administrative and regulatory surcharges that will be included on the customer's bill and provide an estimate of such surcharges if requested by the customer. Administrative fees and regulatory surcharges consist of those charges approved by the FCC for inclusion on the customer bill. Telephone utilities need not include in the price quote to the prospective customer state and local regulatory fees and taxes, including but not limited to E911 fees, any franchise fees, and the Dual Party Relay fee but the telephone utility will fully disclose that the quoted price excludes those additional charges. This requirement is in no way intended to infringe on the necessary practice of prorating bills required when a customer's service is initiated within rather than at the beginning of a billing cycle.

2. For usage sensitive services included in subparagraph (a) above, telephone utilities will disclose any nonrecurring and/or recurring charges for the service, the usage sensitive rates, and any minimum charges for usage, if applicable.

3. For promotional offerings, telephone utilities shall disclose to the prospective customer all charges and fees referenced in subparagraph (a) and/or (b) above to be billed during the promotion period and those applicable upon expiration of the promotion period.

4. Telephone utilities will not engage in deceptive or misleading practices when advertising or marketing their

services. All advertising and marketing that includes the price of the service(s) will clearly indicate that additional charges, fees, and taxes will apply if not included within the advertised and/or marketed price.

(b) Where special charges apply, such as those for extraordinary construction, labor, and special installation/ assemblies not included in the telephone company tariff on file with the Commission, consumers will be provided an estimate of these charges. A written estimate of charges will be provided at the consumer's request.

(2) Business Office - During normal business hours, business offices shall be staffed, directly or indirectly, with qualified personnel to provide information to customers relating to service and rates, accept and process bills, adjust charges made in error and to generally act as representatives of the utility. If one business office serves several communities, toll-free calling from such communities to that office shall be provided.

(3) Customer Billing

(1)

1. Bills to customers shall be typed or machine printed unless arrangement is made by the customer to be billed via electronic media such as a computer tape or computer diskette. Bills to customers shall contain a listing of all charges and the period of time covered by the bill.

2. The local service charges may be shown as a single item even though they include extensions and other items for which a flat monthly charge is made. The telephone utility shall provide the customer an itemized bill of all local service charges for the following situations:

(i) Initiation of new local exchange service by a customer.

(ii) Any change in service items on a customer's bill.

(iii) Any change in rates of any service item on the customer's bill.

(iv) Once annually upon request, at no charge.

(v) Any time upon request by customer at tariffed charge.

Statements itemizing message toll charges, if applicable, shall be included in bills to customers. Each bill with

toll charges shall include a number for toll charge inquiries.

2. Each local exchange carrier shall have a billing procedure to bill customers for toll calls and information services no later than 90 days after the call was placed.

(b) In the event of a dispute between the customer and the utility respecting any bill, the utility may require the customer to pay the undisputed portion of the bill to avoid discontinuance of service for nonpayment. The utility shall make such investigation as may be appropriate to the particular case and report the result thereof to the customer. In the event the dispute is not reconciled, either party may make application to the Commission for review and disposition of the matter.

(c) In the event service is interrupted due to malfunction of telephone company equipment and not by the negligence or willful act of the customer and it remains out of order for more than 48 consecutive hours after being reported or found to be out of order and access is made available for repairs, appropriate pro rata adjustments shall be made to the customer upon request.

(d)1. Each local exchange carrier shall issue bills monthly, and each bill shall show:

(i) The billing date, which shall be the first day of the billing cycle unless the carrier bills for local service in arrears.

(ii) The due date, which shall be the date the payment is due in to the carrier.

(iii) The delinquent date, which shall be, for companies billing in advance, at least 20 days after the billing date, or, for companies billing in arrears, at least 10 days after the billing date and after the due date.

(iv) The delinquent charge, which will be the charges applied pursuant to the carrier's tariff if the bill is not paid before the delinquent date.

(v) All charges due and payable.

(vi) The local or toll free telephone number(s) for resolution of all billing inquiries.

2. Each local exchange carrier shall show on a bill at least once annually the following statement:

(i) "Itemization of local billing available once annually upon request."

3. Bills issued by other telecommunications providers shall include a due date of not less than 15 days from the date of billing.

(e) Any undercharge in customer billing as a result of the utility's error shall not be back-billed in excess of thirty-six (36) months. No back-billing shall be allowed without immediate written notification by the utility to the customer at the time of discovery by the utility including notice that the customer shall be given the option of repayment of amounts due in monthly installments equal to the period of said underbilling.

(f) Where any overcharge in billing of a customer is the result of the utility's error, such customer shall be due a refund of such excess billing for up to thirty-six (36) months from the date an objection is filed by the customer.

(g) The utility may not effect a regrade of service which has not been requested by the subscriber without giving the subscriber 30 days' prior written notice citing reasons therefore and the applicable recurring charges for proposed class of service.

1. Business rates shall not apply whenever the use of the service is not primarily or substantially of a business nature.

(h) Provision for Certain Local Taxes and Fees:

1. In the event a municipality imposes, collects, or receives from the telephone utility any license, occupational, franchise, privilege, inspection or other similar tax or fee, or otherwise, whether in a lump sum, or at a flat rate, or based on receipts, or based on poles, wires, conduits or other facilities, or otherwise, so much of the aggregate amount of such tax or fee will be billed, insofar as practical, pro rata to the customers receiving exchange service within such municipality, and will be itemized on the customer's bill.

(i) Deposits - Refer to 770-X-1-.08 governing all utilities for requirements related to deposits.

(4) Public Information

Access to the following information shall be made available at all business offices upon request:

(a) Copies of all tariffs as described in 770-X-5-.12 of these rules applicable to the area served by the business office.

(b) Maps detail from which showing exchange boundaries in sufficient size and all customer locations can be determined.

(c) Publicly announced information as to the present and intended future availability of specific classes of service at an applicant's location.

(d) A copy of these Telephone Rules shall be available for inspection by applicants or customers.

(e) Utilities shall not be required to furnish copies without charge.

(5) All telephone utilities including local exchange carriers, interexchange carriers, resellers and operator service providers, shall provide access to the Alabama Dual Party Relay Center for all customers.

Author: Alabama Public Service Commission
Statutory Authority: Code of Ala. 1975, §37-2-3.
History: Effective June 1968. Amended April 1988. Amended February 1991. Amended June 1991. Amended December 1991. Amended March, 1993. Amended November 1998. Amended June 2008. Filed with LRS February 5, 2013. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on February 5, 2013, pursuant to the Code of Ala. 1975, §41-22-7.