#### STATE OF FLORIDA



### Public Service Commission

November 24, 1997

### **MEMORANDUM**

KECE NOV.

TO:

Ms. Blanca Bayo, Director Records and Reporting

FROM:

Curtis Williams

Executive Assistant to Chairman Johnson

SUBJECT:

Intercepted Communication received from Mr. Frank N. Romano

re Docket No. 960786-TL 961153 - 72

This office has received the attached correspondence from Mr. Frank N. Romano. The correspondence has not been viewed or considered in any way by Chairman Johnson. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991, as CEO 91-31-July 19, 1991), this letter does not constitute an <u>ex parte</u> communication by virtue of the fact that it was not shown to the Chairman. Because it is not deemed to be an <u>ex parte</u> communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, F.S. However, in such cases Chairman Johnson has requested that such correspondence be placed on the record in the correspondence side of the docket file.

CJW:ssf

Attachment:



### 97-0403 NOV 21 A

# Aloegenetic

Skincare, Suncare, Cosmetics & Fragrances

Frank N. Romano Chairman of the Board Chief Executive Officer

November 6, 1997

Julia Johnson, Chairman Public Service Commission Department of Consumer Affairs 2540 Shumard Oak Boulevard Tallahassee, FL 32399

Dear Ms. Johnson:

In light of the upcoming possible change in area code designation in South Florida and the Florida Keys, we feel it important that you be aware of the importance of keeping our long-standing 305 area code in order to ensure a vital uninterrupted flow for all concerns.

Keeping uniformity of area code 305 for the entire Florida Keys will afford people who have been working and playing with us for years the ease and convenience of finding us where they always have...at area code 305.

After 27 years in business in Key West, which includes wholesale and mail order business, we have enjoyed healthy growth locally, nationally and internationally. Customers and suppliers alike have come to automatically associate the 305 area code with contacting us via fax and phone. This continued recognition is critical.

Reprinting of literature, sales tools, order forms, catalogs, and brochures, not to mention operational documents such as stationery, checks, purchase orders and staff business cards would be an enormously disruptive and extremely costly necessity.

I urge you to seriously consider the well being of established businesses and residents in Key West and the Florida Keys and do not implement an unnecessary change of the 305 area code here.

Yours very truly,

Alloman .

FNR/bah

Susil,
Ex Part mont an

Marin Simo Sand

Flynn 11/25/97 12:03pm

Flynn Confirm receipt Curtis Williams Subject: intercepted communication

............

CC: Carol Purvis

Curtis, we received your memo forwarding a letter from Frank Ramono. Your memo referenced Docket 960786 (the 271 docket), but Mr. Ramono's letter is actually regarding Docket 961153 (305 area code). I made a note of the correct docket number on the memo and will place the material in 961153. Kay

### SOUTHERN BIOLOGICS, INC.

RECEIVED

20 COX 6840 TALLAMASSEE, FL 32314-6840

TO. PUBLIC SERVICE COMMISSION

FROM: DOUG WAINRIGHT

DATE: 8-12-97

PAGES: 1

961153-TL

Reporting for (860)202 6170

Telephone (850)224 5500

To Whom It may Concern:

Reluctantly, I have been giving my accounts and customers our new area code "850" only to learn all carriers have yet to adopt the change. Your delay has cost my business countless dollars due to lost calls. Believe it or not, new contacts become frustrated when they cannot return someone's call and often they do not take the time to find out why the call cannot go through since there are no recordings offering this information. What do you intend to do about this? I would appreciate a response. Thank you.

Sincerely.

D. K. Wainright

President

Should go to BCR-Should go to BCR-AND a copy to RAR for doclar file - pead J'A close than pead The BO



#### State of Florida

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

DATE: April 18, 1997

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: DOCKET NO. 961153-TL, HEARING HELD 4-16-97

RE: Petition for numbering plan area relief for 904 area code, by BellSouth

Telecommunications, Inc.

DOCUMENT NO: 03940, 4-17-97

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU, SOLD

The following exhibits are being filed with this transcript:

A - C

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

Acknowledged	by:
was	

JK/pc

PSC/RAR 28 (Rev 7/94)



#### State of Florida

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

**DATE:** April 2, 1997

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: DOCKET NO. 961153-TL ITEM NO. 6 OF 4-1-97 AGENDA CONFERENCE

RE: PETITION FOR NUMBERING PLAN AREA RELIEF FOR 904 AREA CODE

BY BELLSOUTH TELECOMMUNICATIONS, INC.

DOCUMENT NO: 03304, 4-1-97

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU,

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged by:

JK/pc

Was

PSC/RAR 28 (Rev 7/94)



### State of Florida

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

DATE: January 24, 1997

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: 961153-TL, ITEM 17 OF 1-21-97 AGENDA CONFERENCE

IN RE:

PETITION FOR NUMBER PLAN AREA RELIEF FOR 904 AREA

CODE BY BELLSOUTH TELECOMMUNICATIONS.

DOCUMENT NO. 00910, 1-24-96

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU, REHWINKEL

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged by:

mus

JK/pc

PSC/RAR 28 (Rev 7/94)



#### State of Florida

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

DATE: December 18, 1996

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting RE: 961153--TP, HEARING HELD 12-9-96

IN RE: PETITION FOR NUMBERING PLAN AREA RELIEF

FOR 904 AREA CODE, BY BELLSOUTH TELECOMMUNICATIONS,

INC.

DOCUMENT NO. VOLUME 1, 13267, 12-12-96; VOLUME 2 13268, 12-12-96

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, AFAD, CMU, SOLD

The following exhibits are being filed with this transcript:

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

Acknowledged by:	
mus	
JK/pc	
PSC/RAR 28 (Rev	

7/94)



#### State of Florida

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

DATE: November 20, 1996

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: 961153-TL, PREHEARING CONFERENCE 12-3-96

IN RE:

Petition for Numbering Plan Area Relief for 904 Area Code, by

BellSouth Telecommunications, Inc.

**DOCUMENT NO. 12850, 12-3-96** 

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMU, AFAD, SOLD

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged by:

Mas

JK/pc

PSC/RAR 28 (Rev 7/94)



PSC/RAR 28 (Rev 7/94)

# Public Service Commission

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

DATE: TO: Blanco Bayó, Director, Records and Reporting FROM: Joy Kelly, Chief, Bureau of Reporting RE: DOCKET NO. 94/153-76 HEARING DATE:					
INRE: Sacheronolle Convice Hemine					
DOCUMENT NO. 961153-TL 12657-96					
The transcript for the above-described hearing has been completed and is forwarded f placement in the docket file.					
Please note that Staff distribution of this transcript was made to:					
The following exhibits are being filed with this transcript:					
NONE					
The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:					
NONE					
Acknowledged by:					
JK/pc					



#### State of Florida

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

DATE: November 15, 1996

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: 961153-TL DAYTONA BEACH SERVICE HEARING - 1'1-13-96

IN RE: Petition for Numbering Plan Area Relief for 904 Area Code by Bellshouth

Telecommunications, Inc.

DOCUMENT NO. 12165, 11-15-96

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMU, AFAD, PC

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged by:

JK/pc

Mar

PSC/RAR 28 (Rev 7/94)



### State of Florida

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

DATE: November 12, 1996

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: 961153-TL

IN RE: Petition for numbering plan area relief for 904 area code by BellSouth

Telecommunications, Inc.

DOCUMENT NO. 11966, 11-8-96, Panama City Service Hearing; 11967, 11-8-96, Tallahassee Service Hearing

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMU, AFAD, PUBLIC COUNSEL

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged	by:
--------------	-----

mar

JK/pc

PSC/RAR 28 (Rev

7/94)



#### State of Florida

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

DATE: November 12, 1996

TO: Blanca Bayó, Director, Records and Reporting

FROM: Joy Kelly, Chief, Bureau of Reporting

RE: 961153-TL

IN RE: Petition for numbering plan area relief for 904 area code by BellSouth

Telecommunications, Inc.

**DOCUMENT NO. 11914, 11-7-96** 

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMU, AFAD, PUBLIC COUNSEL

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged by:

mas

JK/pc

PSC/RAR 28 (Rev

7/94)

STATE OF FLORIDA

JULIA L. JOHNSON CHAIRMAN



CAPITAL CIRCLE OFFICE CENTER 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0854 (904) 413-6044

## Public Service Commission RECEIVED

May 7, 1997

MAY 12 1997

FPSC - Records/Reporting

Ms. Kim Summers 2000 North Meridian Road Apartment 164 Tallahassee, Florida 32303

Dear Ms. Summers:

I would like to take this opportunity to thank you for your letter of April 22, 1997. I regret that I am prohibited by Florida law from commenting on the merits of dockets pending before the Commission. However, I have directed my staff to investigate your concerns and provide you with a written response.

Again, thank you for bringing your concerns to my attention.

With kind regards, I am

Sincerely,

Julia L. Johnson Chairman

JLJ:ssf

cc: Division of Consumer Affairs

Division of Records and Reporting (Docket No. 961153-TL)

STATE OF FLORIDA

JULIA L. JOHNSON CHAIRMAN



CAPITAL CIRCLE OFFICE CENTER 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0854 (904) 413-6044

### Public Service Commission

RECEIVED

May 7, 1997

MAY 12 1997

FPSC - Records/Reporting

Mr. Phillip E. Downs Kerr & Downs Research 2992 Habersham Drive Tallahassee, Florida 32308

Dear Mr. Downs:

I would like to take this opportunity to thank you for your letter dated April 17, 1997, to Chairman Johnson. I regret to inform you that Chairman Johnson is prohibited by Florida law from commenting on the merits of dockets pending before the Commission. However, I have directed our staff to investigate your concerns and provide you with a written response.

Again, thank you for bringing your concerns to our attention.

With kind regards, I am

Sincerely,

Curtis J. Williams

Executive Assistant to Chairman Johnson

JLJ:ssf

cc: Ms. Bev DeMello, Director of Consumer Affairs
Division of Records and Reporting (Docket No. 9) 153-TL)

State of Florida

Diane K. Kiesling Commissioner

RE



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, 11, 32399-0850 (904) 413-6046 FAX (904) 487-1716

MEMORANDUM APK 1 199

April 29, 1997

FPSC-RECORDS/REPORTING

TO : RECORDS AND REPORTING

FROM: CATHERINE BEDELL, ASSISTANT TO COMMISSIONER KIESLING

Intercepted Communication dated March 24, 1997, from Ed Kostenski, President,

Nationwide Equipment (Docket 961153-TL)

This office has received the attached correspondence in the above-referenced docket to which Commissioner Kiesling is assigned. The correspondence was intercepted by the Commissioner's staff and has not been viewed or considered in any way by Commissioner Kiesling. Pursuant to the Commission on Ethics Opinion 91-31, issued July 24, 1991, the attached correspondence is not an exparte communication because it has not been seen by the Commissioner. Therefore, dissemination of this correspondence to the parties of this docket pursuant to the provisions of Section 350.042, Florida Statutes, is not required. However, Commissioner Kiesling has requested that all correspondence of this nature and this memorandum be placed on the record in the correspondence file of the docket.

CB:brf Attachment



11950 NEW KINGS ROAD • JACKSONVILLE, FLORIDA • 32219 U.S.A. PHONE: (904) 924-2500 • FAX: (904) 924-2525 Tonis Exparte not concerte

http://www.nationwideequipment.com E-MAIL: sales@nwe-usa.com

24 March 1997

VIA FACSIMILE AND CERTIFIED MAIL

Ms. Diane K. Kiesling Florida Public Service Commission Division of Consumer Affairs 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0867

RECEIVED

MAR 2 5 1997

FLORIDA PUBLIC SERVICE COMM.
Commissioner Kiesling

Re: 904 Area Code for lacksonville / Docket No. 961153-TL

Dear Commissioner Kiesling:

After reading all the various letters I have received from the Commissioners in response to my letter dated February 4th, I found enough discrepancies contained in the letters that in a Court of Law our complaint against the final decision of the FPSC would have merit. You should read them all! Based on the new evidence obtained, I believe there was an outright violation of the Sunshine Law. I am willing to challenge your decision and the motive of it, considering all the research you and your staff have in your files. Considering the facts, there was no good reason the Board should have voted away the 904 area code from the most vital economic community in North Florida. This was a prejudiced move given the information you have obtained over the last 9 months. The area code change will be a much larger burden with greater economic hardship for the majority of the North Florida business community, than it would be to Tallahassee's administrative community. Jacksonville's area code decision should have been given the same consideration granted to Atlanta when the 404 area code had to be split.

We will continue to pursue all avenues available to appeal your vote.

Sincerely

Ed Kostens

President

cc: Fax: 1-800-511-0809

Mr. Winston E. Pierce Department of Management Services State of Florida Fax: 1-904-413-9529

Governor Lawton Chiles State of Florida Executive Office of the Governor The Capitol Tallahassee, FL 32399-0001 Fax: 1-904-487-0801

Mr. John Zehmer Korn, Zehmer & Gellatly, P.A. Fax: 296-0384 STATE OF FLORIDA



### RECEIVED

MAY 12 1997

FPSC - Records/Reporting

### Public Service Commission

May 8, 1997

#### **MEMORANDUM**

TO:

Ms. Blanca Bayo, Director

Records and Reporting

FROM:

**Curtis Williams** 

**Executive Assistant to Chairman Johnson** 

SUBJECT:

Letter received from Phillip E. Downs regarding Docket 951153-TL

Please find attached a letter dated April 17, 1997, from Phillip E. Downs regarding Docket No. 981153-TL. This letter has not been viewed or considered in any way by Chairman Johnson. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991, as CEO 91-31-July 19, 1991), this letter does not constitute an ex parte communication by virtue of the fact that it was not shown to Chairman Johnson. Because it is not deemed to be an ex parte communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, F.S. However, in such cases Chairman Johnson has requested that such correspondence be placed on the record in the correspondence side of the docket file.

CJW:ssf

Attachment:

#### STATE OF FLORIDA

JULIA L. JOHNSON CHAIRMAN



CAPITAL CIRCLE OFFICE CENTER 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0854 (904) 413-6044

### Public Service Commission

May 7, 1997

Mr. Phillip E. Downs Kerr & Downs Research 2992 Habersham Drive Tallahassee, Florida 32308

Dear Mr. Downs:

I would like to take this opportunity to thank you for your letter dated April 17, 1997, to Chairman Johnson. I regret to inform you that Chairman Johnson is prohibited by Florida law from commenting on the merits of dockets pending before the Commission. However, I have directed our staff to investigate your concerns and provide you with a written response.

Again, thank you for bringing your concerns to our attention.

With kind regards, I am

Sincerely,

Curtis J. Williams

Executive Assistant to Chairman Johnson

JLJ:ssf

cc: Ms. Bev DeMello, Director of Consumer Affairs Division of Records and Reporting (Docket No. 981153-TL)



# KERR & DOWNS RESEARCH

Market Research & Opinion Surveys
97-0132 MAY-9

April 17, 1997

Ms. Julia L. Johnson, Chairman Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Dear Ms. Johnson:

Re: Switching your vote on the 904/850 area code

Since you are going to be costing me and other businesses in the community a lot of money, I think you owe us an explanation and an apology.

#### Explanation 1.

- On what basis did you make your decision in January?
- 2. On what basis did you make your decision in April?
- 3. Did you make a mistake in January?
- 4. Did you not research the issue sufficiently in January?
- Have you received any personal benefits (e.g., less emotional or political hassle, potentially beneficial relationships, etc) that affected your decision.

#### Apology

 For being swayed so quickly and so easily. The net effect of your quick and presumably easy change: 1) further reduces our confidence in the motivations of government and quasi-government officials, and 2) costs us money.

While I personally look forward to your reply, I am certain that this community would appreciate your explanation and apology as a special to the *Tallahassee Democrat*.

Sincerely,

Phillip E. Downs

Partner

xc: Tallahassee Democrat Letter to the Editor From: HEPELT @ SMTP (Henry Pelt) {hepelt@supernet.net} CONFIRMED To: Diane Kiesling, Joe Garcia, Julia Johnson, Susan Clark, Terry Deason Subject: fwd: 904 area codes ===NOTE===========4/18/97==7:06pm============================

Return-Path: <hepelt@supernet.net>

Received: from supernet.net (199.44.25.10)

by mail.psc.state.fl.us (Connect2-SMTP 4.30A.1000128);

Fri, 18 Apr 1997 19:08:08 -0400

Received: from tlh29.supernet.net (tlh29.supernet.net [199.44.25.94]) by

supernet.net (8.8.4/8.7.3) with SMTP id TAA27359; Fri, 18 Apr 1997 19:06:13 0:0400

Date: Fri, 18 Apr 1997 19:06:13 -0400

Message-Id: <199704182306.TAA27359@supernet.net>

X-Sender: hepelt@supernet.net

X-Mailer: Windows Eudora Light Version 1.5.2

Mime-Version: 1.0

Content-Type: text/plain; charset="us-ascii"

To: JLJOHNSO@PSC.STATE.FL.US, JGARCIA@PSC.STATE.FL.US, SCLARK@PSC.STATE.FL.US,

DKIESLIN@PSC.STATE.FL.US, TDEASON@PSC.STATE.FL.US

From: Henry Pelt <hepelt@supernet.net>

Subject: 904 area codes

Honorable Governor and Commissioners of Florida's Public Service Commission:

This email is in response to the totally irrational decision by the Florida Public Service Commission to reverse their earlier decision and order the change of telephone area codes for the Capital of the State of Florida. The purpose of the PSC and the reason they are entrusted by the citizens of the state is to insure that when actions such as this are necessary that the course taken is the least disruptive, least costly, and inconveniences the fewest citizens.

It's not difficult to realize that the change of the State Capital's Area Codes are the most disruptive and costly action that can possibly be taken and affects the entire population of the state as well as the entire population of the United States in that all Governmental Agencies will have to expend critical resources to change the phone listings for Florida Governmental Offices.

Please revisit you decision and hopefully return to the proper decision you originally made. It is unthinkable that the taxpayers of the State be subjected to the costs that would be incurred by following this reversal.

Henry E. Pelt, P.E. hepelt@supernet.net

http://www.tallahassee.net/~hepelt

Fwd to: Billy Stiles

Is this an ex parte contact that needs to be put on the record

Fwd to: Carol Purvis

CC: Kay Posey, Susan Clark

The writer of this e-mail message appears to be an individual residential ratepayer representing himself. Under these circumstances, Section 350.042, F.S., does not require Commissioner Clark to place this correspondence on the record or to provide parties an opportunity to respond. Commissioner Clark would, however, prefer you to place a copy of this message on the correspondence side of the docket file. Thank you.

Kay, please print a copy of this for our files.

Page: 1

State of Flesha



### Public Service Commission

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

**DATE: March 31, 1997** 

TO: Blanca Bayo, Director, Division of Records and Reporting FROM: William Berg, Assistant to Commissioner Deason

RE: Intercepted Communications From an Interested Party Received in Docket No:

961153-TL

This office has received the attached correspondence from Ed Kostenski. The correspondence has not been viewed or considered in any way by Commissioner Deason. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as COE 91-31-JULY 19, 1991), the following letter does not constitute an ex parte communication by virtue of the fact that it was not shown to the Commissioner. Because it is not deemed to be an ex parte communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, Florida Statutes. However; in such cases Commissioner Deason has requested that a copy of the correspondence and this memo be, as a matter of routine, placed in the correspondence side of the file in this docket.

WBB/mm



11950 NEW KINGS ROAD • JACKSONVILLE, FLORIDA • 32219 U.S.A. ⊇HONE, [904] 924-2500 • FAX. [904] 924-2525 http://www.nationwideequipment.com E-MAIL\_sales@owe.usa.com

24 March 1997

VIA FACSIMILE
AND CERTIFIED AND
COMMING SONIA
COMMING SONIA
COMMING SONIA
COMMING SONIA
COMMING SONIA

Mr. J.Terry Deason Florida Public Service Commission Division of Consumer Affairs 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0867

Re: 904 Area Code for Jacksonville / Docket No. 961153-TL

Dear Commissioner Deason:

After reading all the various letters I have received from the Commissioners in response to my letter dated February 4th, I found enough discrepancies contained in the letters that in a Court of Law our complaint against the final decision of the FPSC would have merit. You should read them all! Based on the new evidence obtained, I believe there was an outright violation of the Sunshine Law. I am willing to challenge your decision and the motive of it, considering all the research you and your staff have in your files. Considering the facts, there was no good reason the Board should have voted away the 904 area code from the most vital economic community in North Florida. This was a prejudiced move given the information you have obtained over the last 9 months. The area code change will be a much larger burden with greater economic hardship for the majority of the North Florida business community, than it would be to Tallahassee's administrative community. Jacksonville's area code decision should have been given the same consideration granted to Atlanta when the 404 area code had to be split.

We will continue to pursue all avenues available to appeal your vote.

Sincerely,

Ed Kostenski

President

Printed by Don Strickland

4/01/97

7:14am

From: Kay Flynn

To: Brad Martin, Don Strickland

Subject: 961153

===NOTE=========3/31/97==6:33pm==

AT&T should be marked as a party in this docket. They intervened on 12/3 and, at the beginning of the 12/9 hearing, their petition was granted. (I followed up on this after we received a filing from AT&T today, and I was curious about their standing at this late date.) Kay

STATE OF FLORIDA

JULIA L. JOHNSON CHAIRMAN



CAPITAL CIRCLE OFFICE CENTER 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0854 (904) 413-6044

### Public Service Commission

March 4, 1997

RECEIVED 1997

FPSC-RECORDS/REPORTING

**MEMORANDUM** 

TO:

Ms. Blanca Bayo

Director of Records and Reporting

FROM

Chairman Julia L. Johnson

SUBJECT:

Communications regarding Docket No. 951153-TD

Lune 05 199

On February 11, 1997, I spoke with Rep. Joseph Arnall. During the conversation, Rep. Arnall inquired about the Commission's 904 area code decision, and asked about the legal procedure for seeking reconsideration of the Commission's decision.

I informed him that only parties of record have standing to seek reconsideration. I also informed him that a Commissioner could seek reconsideration. I further informed him that I am prohibited by Florida law from commenting on the merits of the PSC's decision while this matter is pending.

JLJ:CJW:ssf

State of Florida

Julia L. Johnson Chairman



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904)413-6044 FAX (904)413-6019

### Public Service Commission

February 28, 1997



Mr. Alan C. Hasselwander, Chairman North American Numbering Council 4140 Clover Street Honeoye Falls, New York 14472-9323 FPSC-RECORDS/REPORTING

Dear Chairman Hasselwander:

I am writing in response to your letter of February 17, 1997, regarding the Florida Public Service Commission's (PSC) recent decision in the 904 area code docket (Docket No. 961153-TL). The PSC's decision is not final at this point, due to the fact that we have received several Motions for Reconsideration of the PSC's decision.

Because this matter has not reached its final resolution, I am unable to comment on its merits, per Section 350.042, Florida Statutes. As such, I am prohibited from commenting or participating in any NANC meetings in which the issue is discussed. If you have any questions, please contact Stan Greer at 904-413-6562.

With kind regards, I am

Julia L. Johnson

Chairman

Sincerely

JLJ:CJW:ssf

cc. Division of Records and Reporting (Docket No. 961153, TL)



By Fax and US Mail 4140 Clum \$1. Hu mye Fale, NY 14472-8323

97-0022 FEB 19

February 17, 1997

The Honorable Commissioner Julia Johnson Chairman, Flurida Public Service Commission 2540 Shurnard Oak Blvd. Tallahasseo, FL 32399

TEL NO.

Dear Chairman Johnson

At the February 13 meeting of the North American Numbering Council we discussed Florida's request for two new area cudes to accomplish a 3-way split to relieve the 904 area. The issue had been raised by the North American Numbering Administrator in view of the NANC's consideration of conservation issues in response to the Report and Order in CC Docket No. 92-237.

It is our understanding that under the proposed relief plan two of the codes are estimated to exhaust in 2006, while the third code would likely exhaust more than 20 years thereafter. Current industry guidelines state that boundaries should be set so that codes exhaust at roughly the same time, but that in no event should there be more than 15 years difference in exhaust dates. We understand further that there are other plans that could provide relief to the present exhaust problem in Northern Florida.

There was significant concern expressed at the meeting about the potential assignment because of the ramifications of such a decision on conservation of number resources. We believe that the assignment could be viewed as procedential and that there are a number of like requests that could potentially be made as a result to the face of a growing scarcity of this resource.

We would request that you delay proceeding with the 3-way split white reconsideration is given to an alternative more consistent with the guidotine. It is not our intention to introduce significant delay in the solution of your exhaust problem, and we would be happy to review this issue with you in more detail and provide whatever assistance we can.

Sincercly,

Alan C. Hasselwander

Chairman, North American Numbering Council

cc: Ronald Conners, NANPA Administrator

February 17, 1997

The Honorable Commissioner Julia Johnson Chairman, Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399

Dear Chairman Johnson:

At the February 13 meeting of the North American Numbering Council we discussed Florida's request for two new area codes to accomplish a 3-way split to relieve the 904 area. The issue had been raised by the North American Numbering Administrator in view of the NANC's consideration of conservation issues in response to the Report and Order in CC Docket No. 92-237.

It is our understanding that under the proposed relief plan two of the codes are estimated to exhaust in 2006, while the third code would likely exhaust more than 20 years thereafter. Current industry guidelines state that boundaries should be set so that codes exhaust at roughly the same time, but that in no event should there be more than 15 years difference in exhaust dates. We understand further that there are other plans that could provide relief to the present exhaust problem in Northern Florida.

There was significant concern expressed at the meeting about the potential assignment because of the ramifications of such a decision on conservation of number resources. We believe that the assignment could be viewed as precedential and that there are a number of like requests that could potentially be made as a result to the face of a growing scarcity of this resource.

We would request that you delay proceeding with the 3-way split while reconsideration is given to an alternative more consistent with the guideline. It is not our intention to introduce significant delay in the solution of your exhaust problem, and we would be happy to review this issue with you in more detail and provide whatever assistance we can.

Sincerely.

Alan C. Hasselwander

Chairman, North American Numbering Council

cc: Ronald Conners, NANPA Administrator

### EXTERNAL CONTACT TRACKING EDIT FORM

CONTACT NO: 00272 CHAIRMAN	NO: 00022	DATE OF CONTACT: 02/1	9/1997 [	OUE DATE: 03/02/1997	
CONTACT TYPE: FAX		NATURE OF CONTACT: CO	NSUMER C	ONCERN	
ENTERED BY: VERONICA WASHINGT	ON	RECEIVED BY: JOHNSON	Ri	FERRED BY:	
LAST NAME	FIRST			MI	
HASSELMANDER	MAIA		MR.	C	
MAILING ADDRESS		CITY		STATE NY	
4140 CLOVER STREET		HONEOYE FALLS			
	ZIP: 14	1472 - 9323			
WORK PHONE:	HOME PHONE		FAX:		
NAME OF ORGANIZATION: N. AMER	ICAN NUMBERING	co			
INTERNET/E-MAIL:					
COMPANY NAME:					
COMPANY CODE:					
ACCT NO:					
TYPE: TS	SUBJEC	T: 904 AREA CODE			
NOTES:					
ASSIGNED TO:					
ACTION TAKEN		ACTION DATE			
MEHO/BLANCA		02/19/1997			
DIVISION ASSIGNED: CMU					
RESPONSE:		RESPONSE DAT	E:		
DATE CLOSED: 02/28/1997					
	RESPONSE	INSTRUCTIONS			
☐ PREPARE	LETTER FOR THE	CHAIRMAN'S SIGNATUR	12		
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CONTACT ME BEFORE ACTING ON THIS COMPAINT/INQUIRY					
NO RESPO	NSE NECESSARY				

State of Florida

Julia L. Johnson Chairman



Gerald L. Gunter Building 2540 Shumard Ouk Boulevard Tallahassee, FL 32399-0850 (904) 413-6014 FAX (904) 413-6019

### Public Service Commission

February 21, 1997

Mr. Michael A. Candeto 29 Arbor Club Drive, #108 Ponte Vedra Beach, FL 32082-2606

Dear Mr. Candeto:

Thank you for your letter concerning the Commission's decision to change the Jacksonville area code. Florida law prohibits Chairman Johnson from commenting on matters pending before the Commission. However, I will attempt to respond to your concerns.

Let me start by giving you some background information. Normally, the Regional Bell Operating Company or largest independent telephone company in a specific area code is responsible for the assignment of central office codes within that area code. These entities are required to follow guidelines approved by the industry in assigning central office codes (first three digits of a 7-digit number) and area codes. When available central office codes are close to being exhausted, normally the code holders within the area code are able to arrive at a consensus as to which relief plan should be implemented prior to an area code exhaust. In this case, the code holders did not agree as to which plan should be implemented. Therefore, BellSouth, as code administrator, asked the Commission to decide.

You are correct that the area having the most telephones usually keeps the current area code. However, that is not always the case or the only factor in making a decision. We also considered the length of area code relief, competitive concerns, and impacts to customers and carriers.

The Commission decided to go with a three-way split along LATA lines. In other words, a new area code will be assigned to the Jacksonville LATA, a new area code to the Daytona LATA, and the 904 area code will stay with the Tallahassee, Panama City, and Pensacola LATAs. By deciding in favor of the three-way split, there will be a longer life of the area codes By this, I mean that there will be a longer period of time before more relief is needed and other area codes assigned.

Mr. Michael A. Candeto February 21, 1997 Page Two

In addition, the 3-way split number of customers was a difference of only a couple of thousand. The Jacksonville LATA has 508,906 residential access lines and 235,200 business access lines. The Pensacola, Panama City, and Tallahassee LATAs have 505,275 residential lines and 237,798 business lines. It is estimated that both will exhaust their area codes by the year 2006.

I appreciate your writing and hope this has been responsive to your letter.

Sincerely,

Curtis J. Williams

Executive Assistant to the Chairman

CJW:ssf

cc: Division of Records and Reporting (Docket No. 951153-TL)
Division of Communications

Julia L. Johnson Chairman



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6044 FAX (904) 413-6019

### Public Service Commission

February 21, 1997

Mr. Ed Kostenski, President Nationwide Equipment 11950 New Kings Road Jacksonville, FL 32219

Dear Mr. Kostenski:

Thank you for your letter concerning the Commission's decision to change the Jacksonville area code. Florida law prohibits Chairman Johnson from commenting on matters pending before the Commission. However, I will attempt to respond to your concerns.

Let me start by giving you some background information. Normally, the Regional Bell Operating Company or largest independent telephone company in a specific area code is responsible for the assignment of central office codes within that area code. These entities are required to follow guidelines approved by the industry in assigning central office codes (first three digits of a 7-digit number) and area codes. When available central office codes are close to being exhausted, normally the code holders within the area code are able to arrive at a consensus as to which relief plan should be implemented prior to an area code exhaust. In this case, the code holders did not agree as to which plan should be implemented. Therefore, BellSouth, as code administrator, asked the Commission to decide.

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Mr. Ed Kostenski February 21, 1997 Page Two

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I appreciate your writing and hope this has been responsive to your letter.

Sincerely,

Curtis J. Williams

**Executive Assistant to the Chairman** 

CJW:ssf

cc: Division of Records and Reporting (Docket No. 951153-TL)
Division of Communications

Susan F. Clark Commissioner State of Florida



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 413-6395

Public Service Commission ECELVEII

February 14, 1997

FPSC-RECORDS/REPORTING

The Honorable Alberta Hipps Councilwoman, District 13 Office of the City Council City of Jacksonville 220 East Bay Street Jacksonville, Florida 32202

Dear Councilwoman Dale:

I am responding to your letter of January 27, 1997, to Commissioner Susan Clark, in which you request the Commission to reconsider its decision to adopt a three-way split of the 904 Area Code. Commissioner Clark is unable to correspond with you regarding this matter due to strict procedural safeguards imposed by section 350.042, Florida Statutes, against ex parte communications.

The Commission's order in this matter (Docket No. 961153-TL, Petition for Numbering Plan Area Relief for 904 Area Code, by BellSouth Telecommunications, Inc.) was issued on February 10, 1997. Parties will have 15 days by which to file motions for reconsideration. The standard of review utilized in addressing motions for reconsideration is whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case.

According to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules also provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing. The Commission's case management system indicates that the City of Jacksonville has not formally intervened in this proceeding. Moreover, since the hearing was held on December 9, 1996, the time for intervening has passed. Therefore, I must respectfully inform you that the Commission's rules do not permit the City to request reconsideration of the Commission's decision.

I would like to point out that Commissioner Clark did not vote with the majority to adopt the three-way split. As a

The Honorable Alberta Hipps February 14, 1997 Page 2

dissenting Commissioner, she is herself unable to request that this matter be reconsidered.

Thank you for taking the time to express your views. I will place your letter on the correspondence side of the docket file where it will be available for review.

Sincerely

Wilbur J. Stiles, II

Assistant to the Commissioner

c: Rob Vandiver, General Counsel Noreen Davis, Director of Legal Services Blanca Bayo, Director of Records and Reporting -- DN961153-TL



#### OFFICE OF THE CITY COUNCIL

ALBERTA HIPPS
COUNCILWOMAN, DISTRICT 13
OFFICE (904) 630-1397
HOME (904) 778-0048
FAX (904) 630-2906
TDD 1904) 630-1580

220 EAST BAY STREET JACKSONVILLE, FLORIDA 32202

January 27, 1997

Ms. Susan F. Clark, Chairman Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0865

Dear Commissioner Clark:

I have been notified of the Public Service Commission's decision to reject your staff's recommendation regarding the 904 area code change. I urge the you to reconsider this decision. Because Jacksonville (Duval County) is predominantly a business economy, a change in its area code will have a much greater serious negative impact than how it is currently proposed. In addition, a change may adversely hinder our international business development where language is already a barrier.

The lack of opportunity to offer input in terms of hearings is of great concern to me as an elected official and to the constituents I represent.

Once again, I urge you to reconsider your decision and look forward to your favorable response

RECEIVED

FES 1 1 1997

Florida Public Service Commi. Commissioner Clark Sincerely,

Alberta Hipps

Councilwoman, District 13

alberte Hipp

City of Jacksonville

AH/rew

## State of Florida

Julia L. Johnson Chairman



Gerald L. Gunter Building 2540 Shurnerd Ouk Boulevard Tallahassee, FL 32399-0850 (904) 413-6044 FAX (904) 413-6019

## Public Service Commission

February 12, 1997

FF.C. RECORDS/REPORTING

## **MEMORANDUM**

TO

Ms Blanca Bayo

Director of Records and Reporting

FROM:

Chairman Julia Johnson

SUBJECT:

Communications regarding Docket No. 951153-TL

On February 6, 1997, I spoke with Senator Betty S. Holzendorf. During the conversation, Sen. Holzendorf inquired about the Commission's 904 area code decision, and asked about the legal procedure for seeking reconsideration of the Commission's decision.

I informed her that only parties of record have standing to seek reconsideration. I also informed her that a Commissioner could seek reconsideration. I further informed her that I am prohibited by Florida law from commenting on the merits of the PSC's decision while this matter is pending, but that I would direct my staff to provide her with a more thorough response.

JLJ:CJW:ssf

Susan F. Clark Commissioner



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 413-6395

## Public Service Commission

February 5, 1997



The Honorable Eric Smith City Council President Office of City Council City of Jacksonville 220 East Bay Street Jacksonville, Florida 32202

FPSC-RECORDS/REPORTING

Dear President Smith:

I am responding to your letter of January 28, 1997, to Commissioner Susan Clark, in which you request the Commission to reconsider its decision to adopt a three-way split of the 904 Area Code. Commissioner Clark is unable to correspond with you regarding this matter due to strict procedural safeguards imposed by section 350.042, Florida Statutes, against ex parte communications.

The current schedule for the 904 Area Code proceeding (Docket No. 961153-TL, Petition for Numbering Plan Area Relief for 904 Area Code, by BellSouth Telecommunications, Inc.) calls for the Commission's order to be issued by February 10, 1997. Upon issuance of the order, parties will have 15 days by which to file motions for reconsideration. The standard of review utilized in addressing motions for reconsideration is whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case.

According to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules also provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing. The Commission's case management system indicates that the City of Jacksonville has not formally intervened in this proceeding. Moreover, since the hearing was held on December 9, 1996, the time for intervening has passed. Therefore, I must respectfully inform you that the Commission's rules do not permit the City to request reconsideration of the Commission's decision.

You also indicated that you deserve an opportunity to "know what evidence the PSC Commissioners heard that was so compelling

The Honorable Eric Smith February 5, 1997 Page 2

that it outweighed the conclusions reached by the PSC staff after months of investigations and testimony from affected parties." You also requested that this information be "presented in public and made an explicit part of the formal findings of the Commission." As I mentioned above, the Commission's order is scheduled to be issued on February 10, 1997. The Commission's order will set forth with particularity the Commission's reasons behind its decision. Moreover, this order will be a public record available for your review. I will send a copy to you as soon as it becomes available.

Finally, I would like to point out that Commissioner Clark did not vote with the majority to adopt the three-way split. As a dissenting Commissioner, she is herself unable to request that this matter be reconsidered.

Thank you for taking the time to express your views. I will place your letter on the correspondence side of the docket file where it will be available for review.

Sincerely,

Wilbur J. Stiles, II

Assistant to the Commissioner

C: Rob Vandiver, General Counsel Noreen Davis, Director of Legal Services Blanca Bayo, Director of Records and Reporting -- DN961153-TL



## RESEIVED

FEB 0 4 1997

Florida Public Service Comm. Commissioner Clark

#### OFFICE OF THE CITY COUNCIL

**ERIC SMITH** 

PRESIDENT 1996 - 1997 PRESIDENT 1990 - 1991 COUNCILMAN-AT-LARIGE, GROUP 1 OFFICE (904) 630-1393 FAX (904) 630-2906 TDD (904) 630-1580 220 EAST BAY STREET JACKSONVILLE, FLORIDA 32202

January 28, 1997

Ms. Susan Clark, Chair Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0865

#### Dear Commissioner Clark

I heard with great dismay of the Public Service Commission's recent decision to change the area codes for North Florida and to assign a new area code to the Jacksonville area. I respectfully request that the PSC reopen this case in order to provide a forum for public discussion of the evidence that persuaded the Commission to overturn its staff recommendation and vote to remove the 904 area code from Jacksonville.

As you well know, Jacksonville is by far the largest city, largest economy, largest port and primary business center of North Florida. A change of area codes will be a substantial disadvantage to the economic progress of Jacksonville, which depends more heavily than other North Florida cities on interstate and international phone calls to transact business in its multi billion-dollar economy. The disruption caused by the changeover will be a severe impediment to our international trade, particularly with regard to our many companies doing business with Latin America, Europe and the Far East where language barriers may make notification about the changed area code difficult, to say nothing of the burdens and costs imposed on the rest of our economy.

I and others in Jacksonville are most curious to know what evidence the PSC commissioners heard that was so compelling that it outweighed the conclusions reached by the PSC staff after months of investigations and testimony from affected parties. We deserve the opportunity to have this evidence presented in public and made an explicit part of the formal findings of the Commission, and to have an opportunity to rebut that evidence.

Page 2 January 28, 1997 Ms. Susan Clark

I would very much appreciate having the opportunity to hear the Commission's reasoning and to present relevant evidence for your consideration, and ask the Public Service Commission to reconsider this decision. Please let me hear from you as soon as possible regarding reconsideration of this item.

Sincerely,

Eric Smith

City Council President

c.c. Mayor John Delaney
Members of the City Council
Jack Shreve, Public Counsel of the State of Florida
Wally Lee, President, Jacksonville Chamber of Commerce
Members of the International Relations and Marketing Development Commission
Media

Susan F. Clark Commissioner



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 413-6395

## Public Service Commission

February 5, 1997



The Honorable Howard L. Dale Councilman, District Four Office of City Council City of Jacksonville 220 East Bay Street Jacksonville, Florida 32202

FPSC-RECORDS/REPORTING

Dear Councilman Dale:

I am responding to your letter of January 29, 1997, to Commissioner Susan Clark, in which you request the Commission to reconsider its decision to adopt a three-way split of the 904 Area Code. Commissioner Clark is unable to correspond with you regarding this matter due to strict procedural safeguards imposed by section 350.042, Florida Statutes, against ex parte communications.

The current schedule for the 904 Area Code proceeding (Docket No. 961153-TL, Petition for Numbering Plan Area Relief for 904 Area Code, by BellSouth Telecommunications, Inc.) calls for the Commission's order to be issued by February 10, 1997. Upon issuance of the order, parties will have 15 days by which to file motions for reconsideration. The standard of review utilized in addressing motions for reconsideration is whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case.

According to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules also provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing. The Commission's case management system indicates that the City of Jacksonville has not formally intervened in this proceeding. Moreover, since the hearing was held on December 9, 1996, the time for intervening has passed. Therefore, I must respectfully inform you that the Commission's rules do not permit the City to request reconsideration of the Commission's decision.

You also indicated that you would like to have the opportunity for a representative of the City to speak before the

The Honorable Howard L. Dale February 5, 1997 Page 2

Commission to elaborate on how the Commission's vote would negatively impact Northeast Florida. The Commission's rules allow parties to file separate motions for oral argument with their motions for reconsideration, which, if granted by the Commission, would give parties the opportunity to make an oral presentation to the Commissioners. As with motions for reconsideration, however, only official parties of record have standing to request oral argument.

Finally, I would like to point out that Commissioner Clark did not vote with the majority to adopt the three-way split. As a dissenting Commissioner, she is herself unable to request that this matter be reconsidered.

Thank you for taking the time to express your views. I will place your letter on the correspondence side of the docket file where it will be available for review.

Sincerely,

Wilbur J. Stiles, II

Assistant to the Commissioner

c: Rob Vandiver, General Counsel Noreen Davis, Director of Legal Services Blanca Bayo, Director of Records and Reporting -- DN961153-TL



## RECEIVED

OFFICE OF THE CITY COUNCIL

FER C 5 1997

HOWARD L. DALE OFFICE (904) 630-1394 FAX (904) 630 2006 100 (904) 630 1580

Florida Public Service Comm. Commissioner Clarky STREET JACKSONVILLE, FLORIDA 32202

January 29, 1997

Ms. Susan F. Clark Commissioner Florida Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0865

## Dear Commissioner Clark:

I understand that the Public Service Commission voted to give Duval County and Northeast Florida a new area code. I respectfully request that the PSC reconsider its decision and allow a representative of Jacksonville to speak again before the Commission.

A change in our area code would hamper long range plans to expand our international economic development business. Many of the firms in the City that do international business will be effected by the area code change in fax numbers, resulting in a loss of business for one to two years.

Over the past year, we have celebrated Northeast Florida's population growth to one million residents with greater Jacksonville being the center of the business community. We feel that this change will negatively impact a large number of these businesses.

I urge you to reconsider your decision and allow the Northeast Florida area to retain the 904 area and Your consideration of this request will be greatly appreciated. would Dale

Sincerely.

Councilman, District Four

Susan F. Clark Commissioner



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 413-6395

## Public Service Commission ECELVE

FPSC-RECORDS/REPORTING

The Honorable George Banks Councilman, District Five Office of City Council City of Jacksonville 220 East Bay Street Jacksonville, Florida 32202

Dear Councilman Banks:

I am responding to your letter of January 28, 1997, to Commissioner Susan Clark, in which you request the Commission to reconsider its decision to adopt a three-way split of the 904 Area Code. Commissioner Clark is unable to correspond with you regarding this matter due to strict procedural safeguards imposed by section 350.042, Florida Statutes, against ex parte communications.

The current schedule for the 904 Area Code proceeding (Docket No. 961153-TL, Petition for Numbering Plan Area Relief for 904 Area Code, by BellSouth Telecommunications, Inc.) calls for the Commission's order to be issued by February 10, 1997. Upon issuance of the order, parties will have 15 days by which to file motions for reconsideration. The standard of review utilized in addressing motions for reconsideration is whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case.

According to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules also provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing. The Commission's case management system indicates that the City of Jacksonville has not formally intervened in this proceeding. Moreover, since the hearing was held on December 9, 1996, the time for intervening has passed. Therefore, I must respectfully inform you that the Commission's rules do not permit the City to request reconsideration of the Commission's decision.

Finally, I would like to point out that Commissioner Clark did not vote with the majority to adopt the three-way split. As

The Honorable George Banks February 5, 1997 Page 2

a dissenting Commissioner, she is herself unable to request that this matter be reconsidered.

Thank you for taking the time to express your views. I will place your letter on the correspondence side of the docket file where it will be available for review.

Sincerely

Wilbur J. Stiles, II

Assistant to the Commissioner

c: Rob Vandiver, General Counsel Noreen Davis, Director of Legal Services Blanca Bayo, Director of Records and Reporting -- DN961153-TL



GEORGE BANKS COUNCILMAN DISTRICT S

OFFICE (904) 630-1382 FAX (904) 630-2906 TDD (904) 630-1580 January 28, 1997

220 EAST HAY STREET JACKSONVILLE, FLORIDA 32/202

Ms Susan F. Clark, Chairman Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0865

#### Dear Madam Chairman

My constituents and I are deeply disappointed with the Commission's decision regarding the 904 area code change, especially in view of the fact that your own staff's recommendations were rejected in the process. Because of the staff recommendations, we felt we had reason to hope that the Jacksonville area would be treated more fairly

One of the main thrusts of my Council term is pursuing international trade. To that end, I will soon be an appointed member of the International Relations Marketing Development Commission. I am also very involved in the Sister Cities organization, serving as Chairman of the Subcommittee for Masan, Korea, in which I am currently working to facilitate a multi-million dollar Masan incinerator project that will utilize Jacksonville businesses. I am concerned that the area code change will disrupt and complicate our international relationships, many of which are conducted by phone or fax.

An additional concern is the serious blow this would be to our business community. Mayor Delaney and the City Council have tried hard to create a favorable business climate that would attract new companies, and we feel this change would have a major negative impact on those efforts as well as our economy as a whole.

I respectfully request your reconsideration of your decision

Sincerely.

GEORGESBANKS 7 Councilman, District 5 State of Florida



# Public Service Sommission. -M-E-M-O-R-A-N-1-1997

PESC-RECORDS/REPORTING

DATE: February 6, 1997

TO: Blanca Bayo, Division of Records and Reporting

FROM: Charles Rehwinkel, Assistant to Commissioner Deason

RE: Intercepted Communications From an Interested Party Received in Docket No:

961153-TL

This office has received the attached correspondence from Ed Kostenski, President of Nationwide Equipment. The correspondence has not been viewed or considered in any way by Commissioner Deason. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as COE 91-31-July 19, 1991), the following letter does not constitute an ex parte communication by virtue of the fact that it was not shown to the Commissioner. Because it is not deemed to be an ex parte communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, Florida Statutes. However; in such cases Commissioner Deason has requested that a copy of the correspondence and this memo be, as a matter of routine, placed in the correspondence side of the file in this docket.

CJR/mm



11950 NEW KINGS RCAD • JACKSONVILLE, FLORIDA • 32219 U.S.A. PHONE (904) 924-2500 • FAX: (904) 924-2525 http://www.nationwideequipment.com E-MAIL\_sales@nwe-usa.com

4 February 1997

VIA FACSIMILE
AND CERTIFIED MAIL

PECEIVE

Forlow Public Service Comm.

Commissions Desconm.

Mr. J. Terry Deason Florida Public Service Commission Division of Consumer Affairs 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0867

Re: 904 Area Code for Jacksonville / Docket No. 961153 TL

Dear Commissioner Deason:

We are surprised and suspicious that even though your own in-field staff recommended to the Florida Public Service Commission to leave the 904 area code for Northeast Florida your FPSC Board voted otherwise!

Your people came to our area here practically unannounced to the business community less than a week before a United States holiday, so that only a few major businesses could attend the hearing. Your department did so in spite of the fact that this is such an important issue that affects over thousands of businesses in Jacksonville who will have to bear a massive financial burden which is a hundred times the amount of the expense to taxpayers than if Tallahassee's area code were changed. We hereby request another hearing. We were one of the businesses which attended the hearing, but many more wanted to be heard.

What is most disturbing is that options 1, 2 and 3, which were the only plans discussed at the meeting were never even approved. However a new option, (Option 4), was sneaked in without our knowledge or solicitation of our opinion. Since this plan was never even discussed before our panel of business leaders and political people, please enlighten me as to how it can legally be correct for your board to vote the way they did on Option 4?

Florida Public Service Commission

-2-

4 February 1997

We are encouraged by the fact that the FPSC's decision was only one vote short of leaving the 904 area code with Northeast Florida. If your vote was a yes one, we thank you for standing by your staff's recommendation. The overall decision of the FPSC Board however was lopsided. It smacks of political coercion! Accordingly, we wish to appeal the Board's decision.

Therefore, please communicate with us as soon as possible as we intend to do whatever is necessary to go through whatever process is needed, including litigation if that is deemed most appropriate.

Sincerely

Ed Kostenski President

cc: Fax: 1-800-511-0809

Mr. Winston E. Pierce
Department of Management Services
State of Florida

Fax: 1-904-413-9529

Susan F. Clark Commissioner



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 413-6395

## Public Service Commission

February 6, 1997

The Honorable Gwen Chandler-Thompson City Councilwoman At-Large, Group 5 Office of City Council City of Jacksonville 1400 City Hall 220 East Bay Street Jacksonville, Florida 32202



FPSC-RECORDS/REPORTING

Dear Councilwoman Chandler-Thompson:

I am responding to your letter of February 3, 1997, to Commissioner Susan Clark, in which you request the Commission to reconsider its decision to adopt a three-way split of the 904 Area Code. Commissioner Clark is unable to correspond with you regarding this matter due to strict procedural safeguards imposed by section 350.042, Florida Statutes, against ex parte communications.

The current schedule for the 904 Area Code proceeding (Docket No. 961153-TL, Petition for Numbering Plan Area Relief for 904 Area Code, by BellSouth Telecommunications, Inc.) calls for the Commission's order to be issued by February 10, 1997. Upon issuance of the order, parties will have 15 days by which to file motions for reconsideration. The standard of review utilized in addressing motions for reconsideration is whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case.

According to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules also provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing. The Commission's case management system indicates that the City of Jacksonville has not formally intervened in this proceeding. Moreover, since the hearing was held on December 9, 1996, the time for intervening has passed. Therefore, I must respectfully inform you that the Commission's rules do not permit the City to request reconsideration of the Commission's decision.

The Honorable Gwen Chandler-Thompson February 6, 1997 Page 2

You also indicated that you would like to have the opportunity to discuss the Commission's decision. The Commission's rules allow parties to file separate motions for oral argument with their motions for reconsideration, which, if granted by the Commission, would give parties the opportunity to make an oral presentation to the Commissioners. As with motions for reconsideration, however, only official parties of record have standing to request oral argument.

Finally, I would like to point out that Commissioner Clark did not vote with the majority to adopt the three-way split. As a dissenting Commissioner, she is herself unable to request that this matter be reconsidered.

Thank you for taking the time to express your views. I will place your letter on the correspondence side of the docket file where it will be available for review.

Sincerely,

Wilbur J. Stiles. II

Assistant to the Commissioner

c: Rob Vandiver, General Counsel Noreen Davis, Director of Legal Services Blanca Bayo, Director of Records and Reporting -- DN961153-TL



#### OFFICE OF THE CITY COUNCIL

DR. GWEN CHANDLER-THOMPSON COUNCILWOMAN AT LARGE, GROUP 5 OFFICE (904) 630-1387 FAX (904) 630-2906 TDD (904) 630-1580

220 EAST BAY STREET JACKSONVILLE, FLORIDA 32202

February 3, 1997

Ms. Susan Clark, Chairperson Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0865

#### Dear Commissioner Clark:

The recent decision of the Public Service Commission concerning the change of area codes for North Florida came as quite a surprise to me and many of my constituents. It was our understanding that your staff recommended Jacksonville to retain the 904 area code while the panhandle changes to a new one.

It is for this reason that I ask the Public Service Commission to reconsider its recent decision. The citizens of Jacksonville are very interested in the reasons and evidence behind the Commission's decision to disregard the conclusions reached by your staff after months of investigation and testimony from affected parties.

Being an at-large council member representing all of Duval county, I am greatly concerned about the possible ramifications concerning the Commission's decision. The continuous growth and economic prosperity of Jacksonville will be effected by your decision. It is my goal to see that Jacksonville continue on its current path of economic development and see the change in area code, at this time, as a direct hindrance to this end.

I, along with my constituents, would appreciate the opportunity to hear and discuss the Commission's decision.

Sincerely.

Dr. Gwen Chandler-Thompson

City Councilwoman At-Large, Group 5

RECEIVED

FEB 0 6 1997

Florida Public Service Comm. Commissioner Clark State of Florida

Julia L. Johnson Chairman



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904)413-6614 FAX (904)413-6019

## Public Service Commission

February 6, 1997



Honorable George Banks Office of the City Council 220 East Bay Street Jacksonville, Florida 32202

Dear Councilman Banks:

I am writing to provide you with additional information regarding your recent letter to Chairman Julia Johnson requesting that the Commission reconsider its 904 area code decision (Docket No. 961153-TL). As Chairman Johnson indicated in her response to you, she is unable to comment on the merits of a docketed matter per Section 350-042, Florida Statutes.

I regret to inform you that, according to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing for purposes of obtaining official party status. The hearing addressing the 904 area code was held on December 9, 1996. Therefore, due to the fact that the hearing has already been held, the time for seeking party status has passed.

The current schedule for the 904 area code docket requires the Commission to issue an order regarding its decision by February 10, 1997. Upon issuance of the order, official parties of record will have 15 days to file motions for reconsideration. However, the standard of review utilized in addressing motions for reconsideration is limited to whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case. In addition, if reconsideration were to be granted, participation would continue to be limited to parties of record only.

Additionally, I have been advised by counsel that the Commission could seek reconsideration on its own motion. However, as is the case with a party seeking reconsideration, the Commission would be required to present evidence that it overlooked or misapprehended a fact or law, and would not be able to reopen the record to consider new evidence.

Councilman George Banks February 6, 1997 Page Two

Thank you for bringing your concerns to the Commission's attention. If you have additional questions, please feel free to contact me.

Sincerely,

Curtis J. Williams

Exec. Assistant to Chairman Johnson

CJW:ssf

cc: Mr. Rob Vandiver, General Counsel Docket No. 961153-TL State of Florida

Julia L. Johnson Chairman



Gerald L. Gunter Bodding 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6044 FAX (904) 413-6019

## Public Service Commission

February 6, 1997

RECEIVE 1997

Honorable King Holzendorf Office of the City Council 220 East Bay Street Jacksonville, Florida 32202

FPSC-RECORDS/REPORTING

Dear Councilman Holzendorf:

I am writing to provide you with additional information regarding your recent letter to Chairman Julia Johnson requesting that the Commission reconsider its 904 area code decision (Docket No. 961153-TL). As Chairman Johnson indicated in her response to you, she is unable to comment on the merits of a docketed matter per Section 350-042, Florida Statutes.

I regret to inform you that, according to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing for purposes of obtaining official party status. The hearing addressing the 904 area code was held on December 9, 1996. Therefore, due to the fact that the hearing has already been held, the time for seeking party status has passed.

The current schedule for the 904 area code docket requires the Commission to issue an order regarding its decision by February 10, 1997. Upon issuance of the order, official parties of record will have 15 days to file motions for reconsideration. However, the standard of review utilized in addressing motions for reconsideration is limited to whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case. In addition, if reconsideration were to be granted, participation would continue to be limited to parties of record only.

Additionally, I have been advised by counsel that the Commission could seek reconsideration on its own motion. However, as is the case with a party seeking reconsideration, the Commission would be required to present evidence that it overlooked or misapprehended a fact or law, and would not be able to reopen the record to consider new evidence.

Councilman King Holzendorf February 6, 1997 Page Two

Thank you for bringing your concerns to the Commission's attention. If you have additional questions, please feel free to contact me.

Sincerely,

Curtis J. Williams

Exec. Assistant to Chairman Johnson

Michi

CJW:ssf cc: Mr. Rob Vandiver, General Counsel Docket No. 961153-TL

### State of Florida

Julia L. Johnson Chairman



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6044 FAX (904) 413-6019

## Public Service Commission

February 6, 1997



Honorable John A. Delaney Mayor of the City of Jacksonville 1400 City Hall 220 East Bay Street Jacksonville, Florida 32202

FPSC-RECORDS/REPORTING

### Dear Mayor Delaney:

I am writing to provide you with additional information regarding your recent letter to Chairman Julia Johnson requesting that the Commission reconsider its 904 area code decision (Docket No. 961153-TL). As Chairman Johnson indicated in her response to you, she is unable to comment on the merits of a docketed matter per Section 350-042, Florida Statutes.

I regret to inform you that, according to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing for purposes of obtaining official party status. The hearing addressing the 904 area code was held on December 9, 1996. Therefore, due to the fact that the hearing has already been held, the time for seeking party status has passed.

The current schedule for the 904 area code docket requires the Commission to issue an order regarding its decision by February 10, 1997. Upon issuance of the order, official parties of record will have 15 days to file motions for reconsideration. However, the standard of review utilized in addressing motions for reconsideration is limited to whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case. In addition, if reconsideration were to be granted, participation would continue to be limited to parties of record only.

Additionally, I have been advised by counsel that the Commission could seek reconsideration on its own motion. However, as is the case with a party seeking reconsideration, the Commission would be required to present evidence that it overlooked or misapprehended a fact or law, and would not be able to reopen the record to consider new evidence.

Mayor John A. Delaney February 6, 1997 Page Two

Thank you for bringing your concerns to the Commission's attention. If you have additional questions, please feel free to contact me.

Sincerely,

Curtis J. Williams

Exec. Assistant to Chairman Johnson

CJW:ssf cc: Mr. Rob Vandiver, General Counsel Docket No. 961153-TL State of Florida

Susan F. Clark Commissioner



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 413-6395

## Public Service Commission FCELVEL

February 5, 1997

FPSC RECORDS/REPORTING

The Honorable King Holzendorf Councilman, District 10 City of Jacksonville 1400 City Hall 220 East Bay Street Jacksonville, Florida 32202

Dear Councilman Holzendorf:

I am responding to your letter of January 27, 1997, to Commissioner Susan Clark, in which you request the Commission to reconsider its decision to adopt a three-way split of the 904 Area Code. Commissioner Clark is unable to correspond with you regarding this matter due to strict procedural safeguards imposed by section 350.042, Florida Statutes, against ex parte communications.

The current schedule for the 904 Area Code proceeding (Docket No. 961153-TL, Petition for Numbering Plan Area Relief for 904 Area Code, by BellSouth Telecommunications, Inc.) calls for the Commission's order to be issued by February 10, 1997. Upon issuance of the order, parties will have 15 days by which to file motions for reconsideration. The standard of review utilized in addressing motions for reconsideration is whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case.

According to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules also provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing. The Commission's case management system indicates that the City of Jacksonville has not formally intervened in this proceeding. Moreover, since the hearing was held on December 9, 1996, the time for intervening has passed. Therefore, I must respectfully inform you that the Commission's rules do not permit the City to request reconsideration of the Commission's decision.

I would like to point out that Commissioner Clark did not vote with the majority to adopt the three-way split. As a

The Honorable King Holzendorf February 5, 1997 Page 2

dissenting Commissioner, she is herself unable to request that this matter be reconsidered.

Thank you for taking the time to express your views. I will place your letter on the correspondence side of the docket file where it will be available for review.

Sincerely,

Wilbur J. Stiles, II

Assistant to the Commissioner

c: Rob Vandiver, General Counsel Noreen Davis, Director of Legal Services Blanca Bayo, Director of Records and Reporting -- DN961153-TL



## OFFICE OF THE CITY COUNCIL

KING HOLZENDORF COUNCILMAN, DISTRICT 10 OFFICE (904) 630-1684 FAX (904) 630-2906 TDD (904) 630-1580

January 27, 1997

220 EAST BAY STREET JACKSONVILLE FLORIDA 32202

Ms. Susan Clark, Chairman Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0865

#### Dear Commissioner Clark:

I am writing in regard to the Public Service Commission's recent decision to change the area codes for North Florida and to assign a new area code to the Jacksonville area. I respectfully request that the PSC reconsider this decision and reopen the matter for further discussion in light of the evidence that can be marshaled on behalf of retaining the 904 area code for the Jacksonville area.

As the largest city, largest economy, largest port and primary business center of North Florida, a change of area codes will be a substantial disadvantage to the economic progress of Jacksonville, which depends more heavily than other North Florida clies on interstate and international phone calls to transact business in its multi-billion dollar economy. The disruption caused by the changeover, particularly with regard to our many companies doing business with Latin America, Europe and the Far East where language barriers may make notification about the changed area code difficult, will be extremely costly.

Within the past year we celebrated the growth of the Jacksonville metropolitan statistical area past the one million mark in population. We are the primary business, trade, distribution and medical center for North Florida. Our companies do more business overseas than other North Florida cities. For these and other reasons that we would like to bring to your attention, a change of area codes will be a significant detriment to the Jacksonville area and will work a greater hardship on Northeast Florida than would be the case in other parts of the state.

I would very much appreciate having the opportunity to present relevant evidence for your consideration, and ask the Public Service Commission to reconsider this decision. Please let me hear from you as soon as possible regarding possible reconsideration of this item.

Sincerely,

Councilmen King Holzendorf

District 10

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JAN 2 4 1997

Fleride Public Service Comm. Commissioner Clark Susan F. Clark Commissioner



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 413-6395

## Public Service Commission

February 5, 1997



Mr. Ed Kostenski President Nationwide Equipment 11950 New Kings Road Jacksonville, Florida 32219

FPSC-RECORDS/REPORTING

Dear Mr. Kostenski:

I am responding to your letter of February 4, 1997, to Commissioner Susan Clark, in which you expressed your concerns about the Commission's decision to adopt a three-way split of the 904 Area Code. Commissioner Clark is unable to correspond with you regarding this matter due to strict procedural safeguards imposed by section 350.042, Florida Statutes, against ex parte communications.

The current schedule for the 904 Area Code proceeding (Docket No. 961153-TL, Petition for Numbering Plan Area Relief for 904 Area Code, by BellSouth Telecommunications, Inc.) calls for the Commission's order to be issued by February 10, 1997. Upon issuance of the order, parties will have 15 days by which to file motions for reconsideration. The standard of review utilized in addressing motions for reconsideration is whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case. The Commission's order will also be appealable to the Florida Supreme Court.

According to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules also provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing. The Commission's case management system indicates that you have not intervened in this proceeding. Moreover, since the hearing was held on December 9, 1996, the time for intervening has passed. Therefore, I must respectfully inform you that the Commission's rules do not permit you to request reconsideration of the Commission's decision.

I would like to point out that Commissioner Clark did not vote with the majority to adopt the three-way split. As a

Mr. Ed Kostenski February 5, 1997 Page 2

dissenting Commissioner, she is herself unable to request that this matter be reconsidered.

Thank you for taking the time to express your views. I will place your letter on the correspondence side of the docket file where it will be available for review.

Sincerely,

Wilbur J. Stiles, II

Assistant to the Commissioner

c: Blanca Bayó, Director of Records and Reporting -- DN961153-TL



11950 NEW KINGS ROAD • JACKSONVILLE, FLORIDA • 32219 U.S.A. PHONE: 19041 924-2500 • FAX: (904) 924-2525

RECEIVED

FEB 0 5 1997

Florida Public Service Comm. Commissioner Clark

http://www.netionwideequipment.com E MAIL sales@nwe-usa.com

4 February 1997

VIA FACSIMILE AND CERTIFIED MAIL

Ms. Susan F. Clark Florida Public Service Commission Division of Consumer Affairs 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0867

Re: 904 Area Code for lacksonville / Docket No. 961153-TL

Dear Commissioner Clark:

We are surprised and suspicious that even though your own in-field staff recommended to the Florida Public Service Commission to leave the 904 area code for Northeast Florida your FPSC Board voted otherwise!

Your people came to our area here practically unannounced to the business community less than a week pefore a United States holiday, so that only a few major businesses could attend the hearing. Your department did so in spite of the fact that this is such an important issue that affects over thousands of businesses in Jacksonville who will have to bear a massive financial burden which is a hundred times the amount of the expense to taxpayers than if Tallahassee's area code were changed. We hereby request another hearing. We were one of the businesses which attended the hearing, but many more wanted to be heard.

What is most disturbing is that options 1, 2 and 3, which were the only plans discussed at the meeting were never even approved. However a new option, (Option 4), was sneaked in without our knowledge or solicitation of our opinion. Since this plan was never even discussed before our panel of business leaders and political people, please enlighten me as to how it can legally be correct for your board to vote the way they did on Option 4?

Florida Public Service Commission

-2

4 February 1997

We are encouraged by the fact that the FPSC's decision was only one vote short of leaving the 904 area code with Northeast Florida. If your vote was a yes one, we thank you for standing by your staff's recommendation. The overall decision of the FPSC Board however was lopsided. It smacks of political coercion! Accordingly, we wish to appeal the Board's decision.

Therefore, please communicate with us as soon as possible as we intend to do whatever is necessary to go through whatever process is needed, including litigation if that is deemed most appropriate.

Sincerely,

Ed Kostenski

Tresident

cc: Fax: 1-800-511-0809

Mr. Winston E. Pierce Department of Management Services State of Florida

Fax: 1-904-413-9529

State of Flora



## Public Service Commission

-M-E-M-O-R-A-PIECES VE

DATE: February 3, 1997

TO: Blanca Bayo, Division of Records and Reporting

FROM: Charles Rehwinkel, Assistant to Commissioner Deason

RE: Intercepted Communications From an Interested Party Received in Docket

No: 961153-TL

This office has received the attached correspondence from Howard L. Dale, City Councilman, District 4, City of Jacksonville. The correspondence has not been viewed or considered in any way by Commissioner Deason. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as COE 91-31-July 19, 1991), the following letter does not constitute an ex parte communication by virtue of the fact that it was not shown to the Commissioner. Because it is not deemed to be an ex parte communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, Florida Statutes. However; in such cases Commissioner Deason has requested that a copy of the correspondence and this memo be, as a matter of routine, placed in the correspondence side of the file in this docket.

CJR/mm



#### OFFICE OF THE CITY COUNCIL

HOWARD L. DALE COUNCILMAN, DISTRICT 4 OFFICE (904) 630-1394 FAX (904) 630-2906 TDD (904) 630-1580

January 29, 1997

220 EAST BAY STREET
JACKSONVILLE, FLORIDA

ACKSONVILLE, FLORIDA

ACKSONVILLE

ACKSONVI

Mr. J. Terry Deason Commissioner Florida Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0865

Dear Commissioner Deason:

I understand that the Public Service Commission voted to give Duval County and Northeast Florida a new area code. I respectfully request that the PSC reconsider its decision and allow a representative of Jacksonville to speak again before the Commission.

A change in our area code would hamper long range plans to expand our international economic development business. Many of the firms in the City that do international business will be effected by the area code change in fax numbers, resulting in a loss of business for one to two years.

Over the past year, we have celebrated Northeast Florida's population growth to one million residents with greater Jacksonville being the center of the business community. We feel that this change will negatively impact a large number of these businesses.

I urge you to reconsider your decision and allow the Northeast Florida area to retain the 904 area code. Your consideration of this request will be greatly appreciated.

Sincerely, Hurried de Dal

Howard L. Dale

Councilman, District Four

HLD/sg

## STATE OF FLORIDA

JULIA L. JOHNSON CHAIRMAN



CAPITAL CIRCLE OFFICE CENTER 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0854 (904) 413-6044

Public Service Commission

February 3, 1997

SECETA E

MEMORANDUM

FPSC-RECORDS/REPORTING

TO

Ms. Blanca Bayo

Director of Records & Reporting

FROM:

Chairman Julia Johnson

SUBJECT:

Letter received from Jacksonville City Councilman Howard L. Dale,

regarding Docket No. 951153-TL

Please find attached a letter dated January 29, 1997, from Jacksonville City Councilman Howard L. Dale, and my response to him. Because this letter addresses matters relevant to a pending proceeding. I ask that you place this memorandum and attachments on the record of the above-referenced proceeding.

Also, please give notice of this communication to all parties to the docket, and inform them that they have 10 days from receipt of the notice to file a response.

JLJ:CJW:ssf



#### OFFICE OF THE CITY COUNCIL

HOWARD L. DALE COUNCILMAN DISTRICT 4 OFFICE (964) 639-1394 FAX (964) 639-2396 TDD (964) 639-1589

January 29, 1997

220 EAST BAY STREET JACKSONVILLE FLORIDA 32202

Ms. Julia Johnson Commissioner Florida Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0865

#### Dear Commissioner Johnson:

I understand that the Public Service Commission voted to give Duval County and Northeast Florida a new area code. I respectfully request that the PSC reconsider its decision and allow a representative of Jacksonville to speak again before the Commission.

A change in our area code would hamper long range plans to expand our international economic development business. Many of the firms in the City that do international business will be effected by the area code change in fax numbers, resulting in a loss of business for one to two years.

Over the past year, we have celebrated Northeast Florida's population growth to one million residents with greater Jacksonville being the center of the business community. We feel that this change will negatively impact a large number of these businesses.

I urge you to reconsider your decision and allow the Northeast Florida area to retain the 904 area code. Your consideration of this request will be greatly appreciated.

Sincerely,

Howard L. Dale

Councilman, District Four

### STATE OF FLORIDA

JULIA L. JOHNSON CHAIRMAN



CAPITAL CIRCLE OFFICE CENTER 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0854 (904) 413-6044

## Public Service Commission

February 3, 1997

Honorable Howard L. Dale Office of the City Council 220 East Bay Street Jacksonville, Florida 32202

#### Dear Councilman Dale:

Thank you for your letter of January 29, 1997, regarding the Public Service Commission's (PSC) recent decision in the 904 Area Code (Docket No. 961153-TL). In response to your request that the PSC reconsider its decision, I regret to inform you that only parties of record have standing to seek reconsideration.

Also, due to the possibility that a Motion for Reconsideration may be addressed by the PSC in the near future, I am prohibited by Florida law from commenting on the merits of the PSC's decision while this matter is pending. However, in an effort to address your specific concerns, I have asked my staff to provide you with a more thorough response, which you should receive soon.

With kind regards, I am

Sincerely,

Julia L. Johnson

Chairman

JLJ:ssf

cc: Division of Records and Reporting (Docket No. 961153-TL)

J. Terry Deason Commissioner

### State of Florida



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6038 FAX (904) 487-1716

FPSC-RECORDS/REPORTING

# Public Service Commission

February 3, 19 ECELVE

Mr. Howard L. Dale Councilman, District 4 Office of the City Council 220 East Bay Street Jacksonville, Florida 32202

### Dear Councilman Dale:

Thank you for your letter of January 29 regarding the area code decision in docket 961153-TL. As Commissioner Deason's assistant, one of my duties is to evaluate communications for a determination of their ex parte nature. In reviewing your letter, I consulted the docket file and discovered that the City has indeed been treated as an interested person. However, neither the Mayor's office nor the City of Jacksonville has intervened as an official party in this docket.

Because the Commissioner cannot consider communications from interested parties other than individual residential customers, I must forward your letter to the docket file in accord with our procedures. I will also ask our Legal Division to review and respond to your letter since you request the specific legal remedy of reconsideration. That normally must come from a party participating in the hearing, but in an abundance of caution I will request that Legal make an evaluation of the letter to see if it will operate as a motion for reconsideration.

I apologize for the seemingly bureaucratic response. Our legal options for addressing concerns that you raise on behalf of your constituency and the City of Jacksonville are limited once the Commission has held an evidentiary hearing and made a decision.

Mr. Dale February 3, 1997 Page Two

Nevertheless, I would be happy to answer any questions that you might have about the procedural aspects of the case or to assist you in any manner appropriate.

Sincerely,

Charles J. Rehwinkel

**Assistant to Commissioner Deason** 

CJR:mm

cc: Division of Legal Services Docket No. 961153-TL

Confirm receipt

FRSC RECORDS/REPORTING

From: CALLICOT @ INTERNET (CALLICOT)

Susan Clark

Subject: fwd: Area Code Change

===NOTE=========1/25/97==1:22pm==============================

Received: from MAIL.JAX.BELLSOUTH.NET by AMICSSW.STATE.FL.US (Soft\*Switch Central V4L40P1A);

25 Jan 1997 13:22:23 GMT

Received: from LOCALNAME (d00112.jax.bellsouth.net [207.53.14.113]) by mail.jax.bellsouth.met (8.7.5/8.7.3) with SMTP id NAA29308 for <CLARKS@PSC.STATE.FL.US>; Sat, 25 Jan 1997 13:24:02 -0500 (EST) Message-ID: <32EA8328.5119@bellsouth.net> Date: Sat, 25 Jan 1997 14:03:20 -0800 From: Deborah Callicott <callicot@bellsouth.net> X-Mailer: Mozilla 2.02E-BSNET (Win16; U) MIME-Version: 1.0 To: CLARKS@PSC.STATE.FL.US Subject: Area Code Change X-URL: http://www2.scri.net/psc/psc\_name\_clark.html

Content-Type: text/plain; charset=us-ascii

Content-Transfer-Encoding: 7bit

I would like you to know that the board's recent decision is one that has left many of us wondering how the decision could be rendered. Instead of impacting the least number of people and businesses, the decions has resulted in just the opposite. Yes I live in an area that will be affected, but that is not a factor in my opinion. This ruling goes against what is in the best interest of the majority. Do we not still live in a democracy or are we just deluded? These are the types of decisions that leave people in general, feeling as though justice is a myth. Considering that the role of any government body is supposed to be as protectorate of the masses, this decision is hypocritical.

Sincerely disillusioned. Mrs. Deborah Callicott

Fwd to: Billy Stiles 

Billy...please handle

Fwd to: Blanca Bayo

Blanca, please place a copy of this message in the correspondence file for DN961153-TL. My response to this message is in a separate e-mail message, a copy of which was sent to you. Please put a copy of my response in the file also. Thanks.

Fwd to: Billy Stiles

In accordance with your instructions, a copy of this message will be place

in the correspondence side of the file.

2/06/97	10:16am
A CONTRACTOR OF THE PARTY OF TH	

Confirm receipt

From: Billy Stiles INTERNET @ TRC

Subject: fwd: 904 Area Code Split

===NOTE========2/05/97==6:06pm===============================

CC: Blanca Bayo, Kay Posev

ADDR:

TO NN=callicot@bellsouth.net

ADDR:

Dear Mrs. Callicott:

Commissioner Clark asked me to respond to your e-mail message of January 25, 1997, in which you expressed your concerns about the Commission's decision to adopt a three-way split of the 904 Area Code.

The Commission held five customer service hearings throught the existing 904 service area. These hearings were held in Panama City, Pensacola, Tallahassee, Jacksonville and Daytona Beach. In addition, a technical hearing was held in Tallahassee at which the Commission considered testimony and evidence presented by various expert witnesses sponsored by the parties. Based on the evidence presented at these hearings, the Commission believed that the three-way split offered the best solution.

The current schedule for the 904 Area Code proceeding (Docket No. 961153-TL, Petition for Numbering Plan Area Relief for 904 Area Code. by BellSouth Telecommunications, Inc.) calls for the Commission's order to be issued by February 10, 1997. Upon issuance of the order, parties to the proceeding will have 15 days by which to file motions for reconsideration. The standard of review utilized in addressing motions for reconsideration is whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case. The Commission's order will also be appealable to the Florida Supreme Court.

I would like to point out that Commissioner Clark did not vote with the majority to adopt the three-way split. As a dissenting Commissioner, she is herself unable to request that this matter be reconsidered.

Thank you for taking the time to express your views. I will place a copy of your e-mail message on the correspondence side of the docket file where it will be available for review.

Sincerely,

Wilbur J. Stiles. II Assistant to the Commissioner

c: Blanca Bayo, Division of Records and Reporting -- DN961153-TL

Fwd to: Billy Stiles

Blanca Bayo 06/97 10:16am

of this response will be placed in the correspondence side of the

State of Florida

Julia L. Johnson Chairman



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6044 FAX (904) 413-6019

# Public Service Commission

February 6, 1997

Honorable Howard L. Dale Office of the City Council 220 East Bay Street Jacksonville, Florida 32202

Dear Councilman Dale:

I am writing to provide you with additional information regarding your recent letter to Chairman Julia Johnson requesting that the Commission reconsider its 904 area code decision (Docket No. 961153-TL). As Chairman Johnson indicated in her response to you, she is unable to comment on the merits of a docketed matter per Section 350-042, Florida Statutes.

I regret to inform you that, according to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing for purposes of obtaining official party status. The hearing addressing the 904 area code was held on December 9, 1996. Therefore, due to the fact that the hearing has already been held, the time for seeking party status has passed.

The current schedule for the 904 area code docket requires the Commission to issue an order regarding its decision by February 10, 1997. Upon issuance of the order, official parties of record will have 15 days to file motions for reconsideration. However, the standard of review utilized in addressing motions for reconsideration is limited to whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case. In addition, if reconsideration were to be granted, participation would continue to be limited to parties of record only.

Additionally, I have been advised by counsel that the Commission could seek reconsideration on its own motion. However, as is the case with a party seeking reconsideration, the Commission would be required to present evidence that it overlooked or misapprehended a fact or law, and would not be able to reopen the record to consider new evidence.

Councilman Howard L. Dale February 6, 1997 Page Two

Thank you for bringing your concerns to the Commission's attention. If you have additional questions, please feel free to contact me.

Sincerely,

Curtis J. Williams Exec. Assistant to Chairman Johnson

CJW:ssf

cc: Mr. Rob Vandiver, General Counsel Docket No. 961153-TL

Julia L. Johnson

State of Florida



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0856 (904) 413-6044 FAX (904) 413-6019

# Public Service Commission

February 7, 1997



Honorable James E. "Jim" King, Jr. House Majority Leader Florida House of Representatives Room 323, The Capitol Tallahassee, Florida 32399-1300

Dear Representative King:

FPSC-RECORDS/REPORTING

I am writing to provide you with additional information regarding your recent letter to Chairman Julia Johnson requesting that the Commission reconsider its 904 area code decision (Docket No. 961153-TL). As Chairman Johnson indicated in her response to you, she is unable to comment on the merits of a docketed matter per Section 350-042, Florida Statutes.

I regret to inform you that, according to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing for purposes of obtaining official party status. The hearing addressing the 904 area code was held on December 9, 1996. Therefore, due to the fact that the hearing has already been held, the time for seeking party status has passed.

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Additionally, I have been advised by counsel that the Commission could seek reconsideration on its own motion. However, as is the case with a party seeking reconsideration, the Commission would be required to present evidence that it overlooked or misapprehended a fact or law, and would not be able to reopen the record to consider new evidence.

Representative James E. "Jim" King, Jr. February 7, 1997 Page Two

Thank you for bringing your concerns to the Commission's attention. If you have additional questions, please feel free to contact me.

Sincerely,

Curtis J. Williams

Exec. Assistant to Chairman Johnson

CJW:ssf

cc: Mr. Rob Vandiver, General Counsel Docket No. 961153-TL

# HEARING ATTENDANCE RECORD

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STATE OF FLORIDA

JULIA L. JOHNSON CHAIRMAN



CAPITAL CIRCLE OFFICE CENTER 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0854 (904) 413-6044

Public Service Commission

January 31, 1997

FPSC-RECORDS/REPORTING

Honorable James E. "Jim" King, Jr. House Majority Leader Florida House of Representatives Room 323, The Capitol Tallahassee, Florida 32399-1300

Dear Representative King:

Thank you for your letter of January 24, 1997, regarding the Public Service Commission's (PSC) recent decision in the 904 Area Code (Docket No. 901159 TL). In response to your request that the PSC reconsider its decision, I regret to inform you that only parties of record have standing to seek reconsideration

Also, due to the possibility that a Motion for Reconsideration may be addressed by the PSC in the near future, I am prohibited by Florida law from commenting on the merits of the PSC's decision while this matter is pending. However, in an effort to address your specific concerns, I have asked my staff to provide you with a more thorough response, which you should receive soon.

With kind regards, I am

Chairman

ILL:ssf

CC:

Division of Records and Reporting (Docket No. 961139-TL)

# STATE OF FLORIDA

JULIA L. JOHNSON CHAIRMAN



CAPITAL CIRCLE OFFICE CENTER 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0854 (904) 413-6044

# Public Service Commission

January 31, 1997

Honorable George Banks Office of the City Council 220 East Bay Street Jacksonville, Florida 32202

### Dear Councilman Banks:

Thank you for your letter of January 28, 1997, regarding the Public Service Commission's (PSC) recent decision in the 904 Area Code (Docket No. 961153-TL). In response to your request that the PSC reconsider its decision, I regret to inform you that only parties of record have standing to seek reconsideration.

Also, due to the possibility that a Motion for Reconsideration may be addressed by the PSC in the near future, I am prohibited by Florida law from commenting on the merits of the PSC's decision while this matter is pending. However, in an effort to address your specific concerns, I have asked my staff to provide you with a more thorough response, which you should receive soon.

With kind regards, I am

Sincerely

Julia L. Johnson

Chairman

JLJ:ssf

cc: Division of Records and Reporting (Docket No. 961153-TL)

State of Flora



# Public Service Commission

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

DATE: February 3, 1997

TO: Blanca Bayo, Division of Records and Reporting

FROM: Charles Rehwinkel, Assistant to Commissioner Deason Deason Deason

RE: Intercepted Communications From an Interested Party Received in Docket No:

961153-TL

This office has received the attached correspondence from George Banks, City Councilman, District 5, City of Jacksonville. The correspondence has not been viewed or considered in any way by Commissioner Deason. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as COE 91-31-July 19, 1991), the following letter does not constitute an ex parte communication by virtue of the fact that it was not shown to the Commissioner. Because it is not deemed to be an ex parte communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, Florida Statutes. However; in such cases Commissioner Deason has requested that a copy of the correspondence and this memo be, as a matter of routine, placed in the correspondence side of the file in this docket.

CJR/mm



# OFFICE OF THE CITY COUNCIL

RECEIVED

JAN 3: 1557

Florida Public Service Comm.

Commissions Descon.

220 EAST BAY STREET JACKSONVILLE, FLORIDA 32202

GEORGE BANKS COUNCILMAN DISTRICT 5 OFFICE (904) 630-1382 FAX (904) 630-2906 TDD (904) 630-1580

January 28, 1997

Mr. J. Terry Deason, Commissioner Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0865

Dear Commissioner Deason.

My constituents and I are deeply disappointed with the Commission's decision regarding the 904 area code change, especially in view of the fact that your own staff's recommendations were rejected in the process. Because of the staff recommendations, we felt we had reason to hope that the Jacksonville area would be treated more fairly

One of the main thrusts of my Council term is pursuing international trade. To that end, I will soon be an appointed member of the International Relations Marketing Development Commission. I am also very involved in the Sister Cities organization, serving as Chairman of the Subcommittee for Masan, Korea, in which I am currently working to facilitate a multi-million dollar Masan incinerator project that will utilize Jacksonville businesses. I am concerned that the area code change will disrupt and complicate our international relationships, many of which are conducted by phone or fax

An additional concern is the serious blow this would be to our business community. Mayor Delaney and the City Council have tried hard to create a favorable business climate that would attract new companies, and we feel this change would have a major negative impact on those efforts as well as our economy as a whole.

I respectfully request your reconsideration of your decision

Sincerely.

Councilman, District 5

State of Flores



# Public Service Commission

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

DATE: January 30, 1997

TO: Blanca Bayo, Division of Records and Reporting

FROM: Charles Rehwinkel, Assistant to Commissioner Deason

RE: Communications received in Docket No: 961153-TL

This office has received the attached correspondence from Representative Jim King. Because it is not deemed to be an <u>ex parte</u> communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, Florida Statutes. However; in such cases Commissioner Deason has requested that a copy of the correspondence and this memo be, as a matter of routine, placed in the correspondence side of the file in this docket.

CJR/mm



JAN 30 1557
Florida Public Service Comm.
Commissioner Deason

# Florida House of Representatives

JAMES E. "JIM" KING, JR. RIPRISINTATIVI, DISTRICT 17

January 24, 1997

J Terry Deason, Commissioner Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0865

**Dear Commissioner Deason:** 

Needless to say, I was shocked to learn of your decision to allow the northwest area of Florida to maintain the 904 area code, while forcing the northeast area to change, and I want you to know how opposed I am to that decision. Quite frankly, it makes absolutely no financial sense. When you look at the Tallahassee and west option, according to the phone company, there are about 750,000 subscribers - while there are over 1,200,000 subscribers in the Jacksonville and Daytona area. It makes little sense, from a monetary standpoint, to financially harm the largest group!

I believe a reconsideration on the part of the PSC is in order, and will appreciate hearing from you as to what your intentions are in this regard.

Sincerely,

James E. "Jim" King, Jr., House Majority Leader Representative, District #17

JEK:kg

\$485 Evgency Square Blod, State 108
Jacksonville, FL 30205
\$104-707-3000
LAN 004-707-3000

CCMMITTES

Appropriations

Health Care + Natural Resources

Joint Legalative Management Committee

Regulated Industries Alcoholic Beverages & Tobacco Chair

Sea The Capital
Tallahasee II. 2000-2000
governor even
IAX process 2000

J. Terry Deason Commissioner State of Florida



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6038 FAX (904) 487-1716

# Public Service Commission

February 3, 1997

Mr. George Banks
Councilman, District 5
Office of the City Council
220 East Bay Street
Jacksonville, Florida 32202

## Dear Councilman Banks:

Thank you for your letter of January 28 regarding the area code decision in docket 961153-TL. As Commissioner Deason's assistant, one of my duties is to evaluate communications for a determination of their ex parte nature. In reviewing your letter, I consulted the docket file and discovered that the City has indeed been treated as an interested person. However, neither the Mayor's office nor the City of Jacksonville has intervened as an official party in this docket.

Because the Commissioner cannot consider communications from interested parties other than individual residential customers, I must forward your letter to the docket file in accord with our procedures. I will also ask our Legal Division to review and respond to your letter since you request the specific legal remedy of reconsideration. That normally must come from a party participating in the hearing, but in an abundance of caution I will request that Legal make an evaluation of the letter to see if it will operate as a motion for reconsideration.

l apologize for the seemingly bureaucratic response. Our legal options for addressing concerns that you raise on behalf of your constituency and the City of Jacksonville are limited once the Commission has held an evidentiary hearing and made a decision.

Mr. Banks February 3, 1997 Page Two

Nevertheless, I would be happy to answer any questions that you might have about the procedural aspects of the case or to assist you in any manner appropriate.

Sincerely,

Charles J. Rehwinkel

**Assistant to Commissioner Deason** 

CJR:mm

cc: Division of Legal Services Docket No. 961153-TL Julia L. Johnson Chairman State of Florida



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6044 FAX (904) 413-6019

F280 RECORDS REPORTING

# Public Service Commission

January 17, 1997

Ms. Beverly Garvin Watson Realty Corp. 2490 Monument Road Jacksonville, Florida 3225-4558

Dear Ms. Garvin:

Thank you for your letter dated November 18, 1996, regarding the 904 area code relief plan. On December 9, 1996, the Commission held a hearing on the issues identified by the parties to the proceeding. In addition to this hearing, the Commission also held service hearings in Pensacola, Panama City, Tallahassee, Daytona, and Jacksonville to hear the concerns of the general public in the affected areas. At the December hearing, the parties presented evidence on each issue.

The Public Service Commission Staff filed a recommendation on this matter on January 9, 1997. The Commission is scheduled to make a final decision on this matter at it's January 21, 1997. Agenda Conference.

If you have any questions, please call Stan Greer at (904) 413-6562.

Sincerely,

Curtis J. Williams

Assistant to Chairman Johnson

cc: Division of Records and Reporting
Docket No. 961153-TL



# REALTY CORP., REALTORS'



November 18, 1996

The Honorable Susan Clark Chairman, Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Dear Chairman Clark,

The Public Service Commission is currently looking at options to relieve the area code saturation in Northeast Florida. encourage the Commission to assign the new area code to Pensacola, Panama City and Tallahassee. This best meets the industry guidelines for area code relief. It provides relief for the greatest amount of time for both the new and old area codes.

Thank you for you consideration in this matter.

Sincerely,

Burl, Harrian Beverly Garvin

Realtor

RECEIVED

NOV 2 1 1996

Florida Fuelic Service Comm. Commissioner Clark

State of Flana



# Public Service Commission

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

DATE: January 22, 1997

TO: Blanca Bayo, Division of Records and Reporting

FROM: Charles Rehwinkel, Assistant to Commissioner Deason

RE: Intercepted Communications From an Interested Party Received in Docket No:

This office has received the attached correspondence from John Delaney, Mayor of Jacksonville. The correspondence has not been viewed or considered in any way by Commissioner Deason. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as COE 91-31-July 19, 1991), the following letter does not constitute an ex parte communication by virtue of the fact that it was not shown to the Commissioner. Because it is not deemed to be an ex parte communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, Florida Statutes. However; in such cases Commissioner Deason has requested that a copy of the correspondence and this memo be, as a matter of routine, placed in the correspondence side of the file in this docket.

CJR/mm

RECEUVED 1997

FPSC-RECORDS/REPORTING



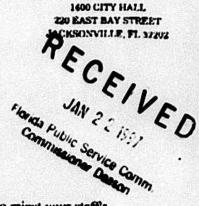
### OFFICE OF THE MAYOR

JOHN A. DELANEY
MAYOR

January 21, 1997

Mr. J. Terry Deason Commissioner Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak-Boulevard Tallahassee, Florida 32399-0865

Dear Commissioner Deason:



I have been notified of the Public Service Commission's decision to reject your staff's recommendation regarding the 904 area code change. I respectfully ask that the PSC reconsider its decision and allow us to speak again before the Commission.

Jacksonville has just completed a long-range strategy to expand our economic development international businesses. A change in our area code would badly hamper our efforts. Hundreds of businesses are dependent upon directory listings in Latin America, the Orient and Europe. The majority of these orders come via fax because it reduces the language barrier. A change would essentially have them misfiled for 12-24 months as this is the usual life span of their directories.

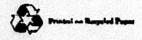
This past year, we celebrated Northeast Florida's population growth to one million. Because Jacksonville (Duval County) is predominantly a business economy, the area code change would have a serious negative impact. We believe the expense is unjustified and unwarranted.

I wish to have the opportunity to speak before your Commission to elaborate on how your vote will negatively impact Northeast Florida. Please notify my office as soon as possible if you are amenable to reconsideration.

Sincerely,

John & Delaney

Mayor



State of Flora



# Public Service Commission

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

JAN 3

RECORDS/REPORTING

**DATE: January 28, 1997** 

TO: Blanca Bayo, Division of Records and Reporting

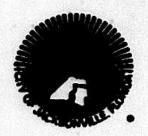
FROM: Charles Rehwinkel, Assistant to Commissioner Deason

RE: Intercepted Communications From an Interested Party Received in Docket No:

961153-TL

This office has received the attached correspondence from Councilman King Holzendorf. The correspondence has not been viewed or considered in any way by Commissioner Deason. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as COE 91-31-July 19, 1991), the following letter does not constitute an ex parte communication by virtue of the fact that it was not shown to the Commissioner. Because it is not deemed to be an ex parte communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, Florida Statutes. However; in such cases Commissioner Deason has requested that a copy of the correspondence and this memo be, as a matter of routine, placed in the correspondence side of the file in this docket.

CJR/mm



(904) 630-1377 (904) 630-2906 - FAX

OFFICE OF THE CITY COUNCIL.

220 FAST BAY STREET 10TH PLOOR, CITY HALL IACKSCOVULLE, FL 32202

# FAX TRANSMITTAL COVER SHEET

FAX #:	
ATTENTION:	Na Hilzenders
MESSAGE:	
SENT BY:	Forelyn

PLEASE NOTIFY US AT 904-630- /68 / IF YOU DO NOT RECEIVE THE CORRECT NUMBER OF PAGES OR THE FAX IS ILLEGIBLE. THANK YOU



### OFFICE OF THE CITY COUNCIL

January 27, 1997



Ms. Suson Clark, Chairman Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahannee, FL 32300-0005

### Door Commissioner Clark:

KING HOLZENDORF COUNCEMAN, DISTRICT 10

OFFICE (804) 630-1604 FAX (804) 630-600 TDO (804) 680-1680

I am writing in regard to the Public Service Commission's recent decision to change the area codes for North Fioride and to easign a new area code to the Jucksomille area. I respectfully request that the PSC reconsider this decision and reopen the matter for further discussion in light of the evidence that can be marshaled on bahalf of retaining the 804 area code for the Jectsomille area.

As the largest city, largest economy, largest port and primary business center of North Floride, a change of area codes will be a substantial disadventage to the economic progress of Jacksomille, which depends more heavily than other North Floride cities on interestes and intermetional phone calls to transact business in its multi-bitton dollar economy. The disruption caused by the changesver, particularly with regard to our many companies dollar economy. The disruption caused by the changesver, particularly with regard to our many companies doing business with Latin Armerica, Europe and the Far East where language burriers may make notification about the changed area code difficult, will be extremely costly.

Within the past year we celebrated the growth of the Jacksonville matropolitan statistical area past the one million mark in population. We are the primary business, trade, distribution and medical center for North Florids. Our companies do more business everseas then other North Florids cilius. For these end other reasons that we would like to bring to your attention, a change of area codes will be a significant detriment to the Jacksonville area and will work a greater hardship on Northeast Florids than would be the case in other parts of the state.

I would very much appreciate having the opportunity to present relevant evidence for your consideration, and sek the Public Service Commission to reconsider this decision. Please let me hear from you as soon as possible regarding possible reconsideration of this item.

Sincersty,

Codholipan King Hotzendorf

RECEIVED

JAN 2 . 1557

Florida Public Service Comm. Commissioner Deason

# State of Florida



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 413-6395

# Public Service Commission

January 24, 1997

The Honorable John A. Delaney Mayor City of Jacksonville 1400 City Hall 220 East Bay Street Jacksonville, Florida 32202

FI SC-RECORDS REPORTING

# Dear Mayor Delaney:

I am responding to your letter of January 21, 1997, to Commissioner Susan Clark, in which you request the Commission to reconsider its decision to adopt a three-way split of the 904 Area Code. Commissioner Clark is unable to correspond with you regarding this matter due to strict procedural safeguards imposed by section 350.042, Florida Statutes, against ex parte communications.

The current schedule for the 904 Area Code proceeding (Docket No. 961153-TL, Petition for Numbering Plan Area Relief for 904 Area Code, by BellSouth Telecommunications, Inc.) calls for the Commission's order to be issued by February 10, 1997. Upon issuance of the order, parties will have 15 days by which to file motions for reconsideration. The standard of review utilized in addressing motions for reconsideration is whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case.

According to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules also provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing. The Commission's case management system indicates that the City of Jacksonville has not formally intervened in this proceeding. Moreover, since the hearing was held on December 9, 1996, the time for intervening has passed. Therefore, I must respectfully inform you that the Commission's rules do not permit the City to request reconsideration of the Commission's decision.

You also indicated that you would like to have the opportunity to speak before the Commission to elaborate on how

The Honorable John A. Delaney January 24, 1997 Page 2

the Commission's vote would negatively impact Northeast Florida. The Commission's rules allow parties to file separate motions for oral argument with their motions for reconsideration, which, if granted by the Commission, would give parties the opportunity to make an oral presentation to the Commissioners. As with motions for reconsideration, however, only official parties of record have standing to request oral argument.

Finally, I would like to point out that, contrary to your understanding, Commissioner Clark did not vote with the majority to adopt the three-way split. As a dissenting Commissioner, she is herself unable to request that this matter be reconsidered.

Thank you for taking the time to express your views. I will place your letter on the correspondence side of the docket file where it will be available for review.

Sincerely,

Wilbur J. Stiles, II

Assistant to the Commissioner

c: Rob Vandiver, General Counsel Noreen Davis, Director of Legal Services Blanca Bayo, Director of Records and Reporting -- DN961153-TL





### OFFICE OF THE MAYOR

JOHN A. DELANEY
MAYOR

January 21, 1997

1400 CITY HALL 220 EAST BAY STREET JACKSONVILLE, FL 32202

Ms. Susan F. Clark
Commissioner
Public Service Commission
Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0865

Dear Commissioner Clark:

I have been notified of the Public Service Commission's decision to reject your staff's recommendation regarding the 904 area code change. I respectfully ask that the PSC reconsider its decision and allow us to speak again before the Commission.

Jacksonville has just completed a long-range strategy to expand our economic development international businesses. A change in our area code would badly hamper our efforts. Hundreds of businesses are dependent upon directory listings in Latin America, the Orient and Europe. The majority of these orders come via fax because it reduces the language burrier. A change would essentially have them misfiled for 12-24 months as this is the usual life span of their directories.

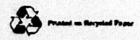
This past year, we celebrated Northeast Florida's population growth to one million. Because Jacksonville (Duval County) is predominantly a business economy, the area code change would have a serious negative impact. We believe the expense is unjustified and unwarranted.

I wish to have the opportunity to speak before your Commission to elaborate on how your vote will negatively impact Northeast Florida. Please notify my office as soon as possible if you are amenable to reconsideration.

Sincerely,

John A. Delaney

Mayor



Susan F. Clark Chairman State of Florida



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 487-1716

Public Service Commission

December 20, 1996 ECEL V 1996

Mr. Harry L. Geiger, DMD 4485 Roosevelt Boulevard Jacksonville, Florida 32210

FPSC-RECORDS/REPORTING

Dear Dr. Geiger:

Thank you for your letter dated December 16, 1996, regarding BellSouth Telecommunications, Inc.'s petition for numbering plan area relief for the 904 area code.

The Commission held five service hearings in this case for telephone customers affected by the change to express their opinions. Those hearings were held in Pensacola, Panama City, Tallahassee, Jacksonville and Daytona Beach. The Commission also held a technical hearing in Tallahassee on December 9, 1996. At the technical hearing, the Commission heard testimony by various expert witnesses sponsored by the parties to the proceeding. The Commission's staff will review the testimony and evidence put forth at these hearings and file its recommendation on January 9, 1997. The Commission is scheduled to vote on the staff's recommendation at its January 21, 1997, Agenda Conference.

The Chairman is unable to correspond with you regarding this matter because it is an open docket. Section 364.042, Florida Statutes, prohibits Commissioners from receiving or initiating communications off the record involving open dockets. However, I will place a copy of your letter on the correspondence side of the docket file where it will be available for review.

Thank you again for your letter.

Sincerely,

Wilbur J. Stiles, II

Assistant to the Chairman

c: Division of Records and Reporting
DN 961153-TL

### DIPLOMATE OF THE AMERICAN BOARD OF ORTHODONTICS

96-01.38 DEC 19

December 16, 1996

Miss Susan F. Clarke Chairman Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0580

Attn: Division of Communication

PIONES TOTAL CLARK

Dear Ms. Clarke:

Unfortunately I was unable to attend the recent Public Service Commission meeting in Jacksonville, Florida regarding the partitioning of the 904 area code geographic area. I had hoped to be able to speak to this issue as it relates and impacts upon me as a small business owner.

It would appear to me that in the interest of minimal disruption and changes to the least number of Northeast Florida citizens, the 904 area code should remain with the Greater Jacksonville area. Additionally, a far greater number of businesses would be effected if a change were made in Jacksonville as opposed to a change in the Tallahassee area.

I have had conversation with other health care professionals in the Northeast Florida area and they are also in total agreement with my position.

Trusting you and your commission will make the right decision, I remain,

Sincerely yours,

HARRY L. GEIGER, DMC

HLG/mbe

Susan F. Clark Chairman State of Florida



Gerald L. Gurner Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 487-171c

Public Service Commission

December 23, 1996

FPSC-RECORDS/REPORTING

Mr. Chuck Hall, Realtor Real Estate Consultant 1717 Penman Road Jacksonville Beach, Florida 32250

Dear Mr. Hall:

Thank you for your recent letter regarding the 904 area code change.

The Commission held five service hearings in this case for telephone customers affected by the change to express their opinions. Those hearings were held in Pensacola, Panama City, Tallahassee, Jacksonville and Daytona Beach. The Commission also held a technical hearing in Tallahassee on December 9, 1996. At the technical hearing, the Commission heard testimony by various expert witnesses sponsored by the parties to the proceeding. The Commission's staff will review the testimony and evidence put forth at these hearings and file its recommendation on January 9, 1997. The Commission is scheduled to vote on the staff's recommendation at its January 21, 1997, Agenda Conference.

The Chairman is unable to correspond with you regarding this matter because it is an open docket. Section 364.042, Florida Statutes, prohibits Commissioners from receiving or initiating communications off the record involving open dockets. However, I will place a copy of your letter and the Delegation's resolution on the correspondence side of the docket file where it will be available for review.

Thank you again for your letter.

Sincerely,

Wilbur J. Stiles, II
Assistant to the Chairman



96-0430 0016

**CHUCK HALL** 

REAL ESTATE CONSULTANT

COLK

1717 Penman Rd. Jacksonville Beach, Fl 32250

Bus: (904) 249-9011

Fax: (904) 249-8840

Hetlowordle Susan Clark

DEAR MS CLORK,

I am opposed to having our 904 ARES (ode changed. Let Tallahassee Change. The economic import here is far grater.

Si-cenely

Church Hoil

# RECEIVED

DEC 1 6 199 :

Fiorida Fublic Service ....m.

State of Florida

Susan F. Clark Chairman



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 487-1716

# Public Service Commission

December 16, 1996



FPSC-RECORDS/REPORTING

Alice Delkic, President International Technical Ceramics, Inc. Post Office Box 1726 Ponte Vedra, Florida 32004

Dear Ms. Delkic:

Thank you for your letter of November 25, 1996, outlining the hardships that your company would suffer if your area code were changed from 904 to 850.

The Commission held five customer service hearings in this case for telephone customers affected by the change to express their opinions. Those hearings were held in Pensacola, Panama City, Tallahassee, Jacksonville and Daytona Beach. The Commission also held a technical hearing in Tallahassee on December 9, 1996. At the technical hearing, the Commission heard testimony by various expert witnesses sponsored by the parties to the proceeding. The Commission's staff will review the testimony and evidence put forth at these hearings and file its recommendation on January 9, 1997. The Commission is scheduled to vote on the staff's recommendation at its January 21, 1997, Agenda Conference.

The Chairman is unable to correspond with you regarding this matter because it is an open docket. Section 364.042, Florida Statutes, prohibits Commissioners from receiving or initiating communications off the record involving open dockets. However, I will place a copy of your letter on the correspondence side of the docket file where it will be available for review.

Also, I have attached a copy of a brochure prepared by the Commission for customers who attended the customer service hearings. This brochure will provide more information about the area code change.

Thank you again for your letter.

Sincerely,

Wilbur J. Stiles, II Assistant to the Chairman

Attachment c: Division of Records and Reporting --DN 961153-TL EXTERNAL CONTACT TRACKING ADD FORM

CONTACT NO: 00068

CONTACT TYPE: LETTER

ENTERED BY: PAULA ISLEP

DATE OF CONTACT: 1/03/1996

NATURE OF CONTACT: CONSUMER CONCERN

REFERRED BY: CLARF

LAST NAME

FIRST

DELKIC

ALICE

MS.

MAILING ADDRESS

CITY

PO BOX 1726

PONTE VEDRA

STATE FL

MI

ZIP: 32004 -

MORE PROME: (904)-265-0200 HOME PROME:

FAX: (904)-273-1616

MANE OF ORGANIZATION: INTERNATIONAL TECHNICAL

INTERMET/E-MAIL:

COMPANY MANE:

COMPANY CODE:

ACCT NO:

TYPE: TS

SUBJECT: AREA COLE CHANGE

MOTES: TMS NO. 2490

ASSIGNED TO: RALPH WIDELL

ACTION TAKEN

ACTION DATE

DATE CLOSED:



# INTERNATIONAL TECHNICAL CERAMICS UNG-2

Energy-Saving Ceramic Coatings and Kilns Fibre Modules • Kiln & Furnace Repair Products Tel: (904) 285-0200 Fax: (904) 273-1616

# RECEIVED

Chil

NOV 2 7 1995

The Honorable Susan Clark, Chairman PUBLIC SERVICE COMMISSION 2540 Shumard Oak Blvd. Tallahassee FL 32399-0850

FID: 45 . LLIC Service Comm. Commissioner Clark

Dear Chairman Clark:

This letter is in reference to the consideration now being given to the possibility of the assignment of Area Code 850 to the Jacksonville area.

If this should happen, it would no doubt cost our company a business loss both nationally and internationally. We have gone to a great deal of effort and expense to publicize ourselves and what we have to offer to the world. We have paid to be listed in various directories and buyers' guides, which are used for reference by engineers and buyers, as well as owners of companies, who are all prospects for the unique products we offer.

Changing our Area Code from 904 to 850 would create a hardship to us and to the people who are in dire need to save energy and to protect equipment and refractory. Since 99.9% of our business comes from outside of the 904 Area Code, and we would be lost to them.

Although our existing customers have our invoices, pens, screwdrivers, calculators, calendars and a variety of technical literature containing our phone and fax numbers, since several years are likely to go by before many of them reorder, at that time they will either get a wrong number or no number and will be left in a quandry as to how to get in touch with us.

Please help our business to survive by letting us retain the 904 Area Code. Many thanks for your consideration and attention to our plight.

AD/jt

Mailing Address P.O. Box 1726 Ponte Vedra. FL 32004

Alice Delkic, President Research & Development Center 325 Mealy Drive, Mayport Industrial Park

Sincerely yours,

Atlantic Beach, FL 32233

Susan F. Clark Chairman State of Florida



Gerald L. Gunter Building 2540 Shumard Oak Boulevard Taliahassee, FL 32399-0850 (904) 413-6040 FAX (904) 487-1716

# Public Service Commission

December 13, 1996

Ms. Shirley M. King Coordinator Duval County Legislative Delegation Room 708, City Hall Jacksonville, Florida 32202-3418 RECEIVE 1996

FPSC-RECORDS/REPORTING

Dear Ms. King:

Thank you for your letter of December 2, 1996, and the resolution passed by the Duval County Legislative Delegation regarding BellSouth Telecommunications, Inc.'s petition for numbering plan area relief for the 904 area code.

The Commission held five service hearings in this case for telephone customers affected by the change to express their opinions. Those hearings were held in Pensacola, Panama City, Tallahassee, Jacksonville and Daytona Beach. The Commission also held a technical hearing in Tallahassee on December 9, 1996. At the technical hearing, the Commission heard testimony by various expert witnesses sponsored by the parties to the proceeding. The Commission's staff will review the testimony and evidence put forth at these hearings and file its recommendation on January 9, 1997. The Commission is scheduled to vote on the staff's recommendation at its January 21, 1997, Agenda Conference.

The Chairman is unable to correspond with you regarding this matter because it is an open docket. Section 364.042, Florida Statutes, prohibits Commissioners from receiving or initiating communications off the record involving open dockets. However, I will place a copy of your letter and the Delegation's resolution on the correspondence side of the docket file where it will be available for review.

Thank you again for your letter.

Sincerely,

Wilbur J. Stiles, II Assistant to the Chairman



### **Duval County Legislative Delegation**

DEC 12 SETTY'S HOLZENDORF

REPRESENTATIVES
JOE ARNALL
GEORGE CRADY
WILLYE F DENAIS
JIM FULLER
ANTHONY TONY HILL
JAMES E HING JR
JOHN THRASHER
STEPHEN R WISE

CHAIRMAN SENATOR HOLZENDORP VICE CHAIRMAN REPRESENTATIVE FULLER

December 2, 1996

Susan F. Clark, Chairman Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Dear Chairman Clerk:

The Duval Legislative Delegation, by unanimous vote at a November 13, public hearing, approved the attached resolution. It is sent to you at the direction of the Delegation.

Sincerely,

Shirley M. King Coordinator Duval County Legislative Delegation

SMK/sy

RECEIVED

000 05 1994

Figrica Paulic Service Comm. Commissioner Clark

ROOM 708, CITY HALL JACKSONVILLE, FLORIDA 32202-3418 PHONE (904) 630-1680



### **Dubal County**Legislative Delegation

SENATORS
WILLIAM G. BILL BANKHLAD
BETTY S. HOLZENDORF
JIM HOPME

REPRESENTATIVES
JOE ARNALL
GEORGE CRADY
WILLYE F DENNIS
JAM FULLER
ANTHONY "TONY" HILL
JAMES E RUNG JR
JOHN THRASHER
STEPHEN R. MISS

CHAIRMAN SENATOR HOLZENDORF

RESOLUTION

VICE CHAIRMAN REPRESENTATIVE PULLER

- WHEREAS, the Jacksonville and Daytona Local Access and Transfer Area (LATA) represents a majority of the population of business and residential customers in the current (904) area code; and
- whereas, it has been determined that the current (904) area code must be divided in order to avoid an exhaustion of available numbers that will otherwise occur in May, 1998; and
- whereas, assigning a new area code (850) to Pensacola, Panama City, and Tallahassee would affect fewer subscribers than assigning a new area code to the Jacksonville, Daytona area; and
- WHEREAS, the economic hardship that would be placed upon Northeast Florida business and governmental entities would be disproportionately greater due to the size and scope of the small, medium, and large businesses in this region; and

whereas, the difficulty for State offices to change the area code would be significantly less because the citizens of Florida would more readily adapt to intra-state area code changes that will affect the large majority of calls to State offices.

NOW, THEREFORE, BE IT RESOLVED that, the Duval County Legislative Delegation strongly encourages the Florida Public Service Commission to designate the Jacksonville and Daytona Local Access and Transfer Area (LATA) as the area of the State to continue to utilize the 904 area code, and that the assignment of a new Numbering Plan Area (NPA) be assigned to Pensacola, Panama City, and Tallahassee.

This is to certify that this Resolution was adopted by the Duval County Legislative Delegation on November 13, 1996, at a Public Hearing.

Senator Betty S. Jolzendo

Chairman

ROOM 708, CITY HALL JACKSONVILLE, FLORIDA 32202-3418 PHONE (904) 630-1680



### Public Service Properties 1996 -M-E-M-O-R-A-N-D-U-M-

FPSC-RECORDS/REPORTING

DATE: December 04, 1996

TO: Blanca Bayo, Division of Records and Reporting

FROM: Charles Rehwinkel, Assistant to Commissioner Deason

RE: Intercepted Communications From an Interested Party Received in Docket No:

961153-TL

This office has received the following correspondence from John Delaney, Mayor of the City of Jacksonville. The correspondence has not been viewed or considered in any way by Commissioner Deason. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as COE 91-31-July 19, 1991), the following letter does not constitute an ex parte communication by virtue of the fact that it was not shown to the Commissioner. Because it is not deemed to be an ex parte communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, Florida Statutes. However; in such cases Commissioner Deason has requested that a copy of the correspondence and this memo be, as a matter of routine, placed in the correspondence side of the file in this docket.

CJR/mm



### RECEIVED

OCT . 4 1996

Florida Public Service Comm Commissioner Deason

### OFFICE OF THE MAYOR

September 30, 1996

JOHN A. DELANEY

MAYOR

1400 CITY HALL 220 EAST BAY STREET JACKSONVILLE, FL 32202

Mr. J. Terry Deason Commissioner Public Service Commission Gerald L. Gunter Building 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0865

Dear Commissioner Deason:

I am writing to ask for your consideration of Option C offered to you by the BellSouth Telecommunications, Inc. petition for numbering relief of the 904 area code.

Option C would assign a new NPA Code to Pensacola and Panama City and keep both Tallahassee and Jacksonville in the 904 code. This option is obviously the least disruptive for Jacksonville but also maintains the existing, crucial link between business/residential constituents of North East Florida and our state's capitol. This option impacts fewer subscribers and NNX's than Options 1 and 1a (as stated in BellSouth's petition).

Although Option C offers a shorter relief internal than the other options it is difficult, at best to project the growth of users in the telecommunications industry because of the explosion of cellular phones and additional home lines accommodating the Internet.

We strongly support the Option C as presented in the petition and ask for your consideration. Please let me know when you will be considering this petition.

Sincerely,

John A. Delaney

JAD:GM:ja



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# HEARING ATTENDANCE RECORD

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	Bary Barker	1757 Kings Ava.	Sacksonville 3207 396-1570	396-1510.
	Ken Smallward	PUB 2211	Cr Ange Park 32967 264-2697	7 264-2697
	For BARUS/U			276-955/
	Lauri Consth	4500 San Page o Pla	JAK PC 32224	953-7834
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DU 961153-TL Pelifon for Approval of Number Dien DATE THUESDAY, Nov. 21 496 Area Relief Fire America ATTENDING CAF STAFF: Ben Dollalla HEARING LOCATION: NAME CITY, STATE, ZIP ADDRESS PHONE RANDE LEFEURE JAX FLA 31201 398-1-166 1130 Holly Lu. S.C. POTTER, J. Jacksmille 52246 221-5028 2163 Winding Crook Lane Barry Barker 1757 Kiles Ave. Sacksonville 3201 396-1510. Ken Smallwood PUB 2211 Orange Park 32067 264-2697 JAK FC 32224 953.7734 4500 SANPARCO RO LAGIO South 3209L 360-3369 ALLEN BELOW GOYIG JOCK UPIGHT IS ST. AUG. 3564 Hedrick St Lathleen Vian Jan F132205 308-4597 MADELEINE SHERIDAN 6837 MONTROSE AVE N JACKSON VILLE FL 904- 986-0204 MKS Sheridan 11 11 10 11 14 NATIONWIDE EGUEDT. 11950 New Kings Rd. JAY, FL. 904-924-2500 Kristed andrel 1559 Anonoreg Kin Jax. FL Brenda Neck 1181de Water Bluff LN.W. Jex., Fl. Valene Bennett 8/81 TRAFALGARSQ 32217 7336433 Jobecca Tunn Will Radio News Jul 76 32205 388.7711 Barry Kraucho to 4755 Baymes down ld 804)448-3394 Jacksone Ho FL

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PARTY SUPPRINCIPLES	



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Mark McLain	2114 Arrport Blud 51200	PAS FL 32504	
DIANA GODWIN	Pensacola News Juurn	1 Pens. 32501	
Rob Manning	WEAR-IN Mosterty	Pers. FL 32501	
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ECELVE 1996			



96116

June 1, 1996 Florida House of Representatives

WE HAVE MOVED



FPSC-RECORDS/REPORTING

Please change our address to:

123 North St. Clair Abrams Ave. Tavares, FL 32778

Thank you.

PC Box 618
124 North St Clair Abrams
Tavares, FL 52778
352-742-6116
13000525-3550

CCMMITTES

Natural Feromer, Cloud

Health Care - Health Systems & Delivery, Chair

Commence + Foreign & Cultural Affair

Finance & Texation + Falor & Calendar

or House Other Beatless Edithorn II was year ERVIN, VARN, JACOBS & ERVIN

ATTORNEYS AT LAW

305 SOUTH GADSDEN STREET

P.O. DHAWER (170 (32302)

TALLAHASSEE, FLORIDA 32301

TELEPHONE (904) 224 9135

TELECOPIER (904) 222-9164

RECEIVE!

LEROY COLLINS

FPSC-RECORDS/REPORTING

October 23, 1996

Honorable Blanca S. Bayo Director - Records and Reporting Florida Public Service Commission Room 110 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

RE: Docket No. 961153-TL

Dear Ms. Bayo:

THOMAS M. ERVIN, JR. C. EVERETT BOYD, JR.

ROBERT M. ERVIN. JR

J. STANLEY CHAPMAN PAMELA K. FRAZIER

DAVID R WESTCOTT

MELISSA FLETCHER ALLAMAN

ELIZABETH FLETCHER DUFFY

Please place my name, as well as Mr. Billy Wall, AirTouch, 5125 Adanson Street, Suite 500, Orlando, FL 32804, on the mailing list for the referenced docket to receive all notices, orders and other communication from the Commission. Thank you for your assistance.

Sincerely,

C. Everett Boyd, Jr.

CEBJr/bc

### RUTLEDGE, ECENIA, UNDERWOOD, PURNELL & HOFFMAN

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A ECERIA
KENNETH A HOFFMAN
THOMAS W KONRAD
R DAVID PRESCOTT
HAROLD F X PURNELL
GARY R RUTLEDGE
R MICHAEL UNDERWOOD
WILLIAM B WILLINGHAM

POST OFFICE BOX 551, 32302-0551, 215 SOUTH MONROE STREET, SUITE 420, TALLAHASSEE, FLORIDA 32301, 1841

> TELEPHONE (904) 681-6788 TELECOPIER (904) 681-6515

October 14, 1996



FPSC-RECORDS/REPORTING

Ms. Blanca Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Betty Easley Conference Center Room 110 Tallahassee, Florida 32399-0850

Re: Florida PSC Docket No. 961153-TL; Petition for Numbering Plan Area Relief for 904 Area Code by BellSouth Telecommunications, Inc.

Dear Ms. Bayo:

The undersigned represents GTE Mobilnet. GTE Mobilnet is interested in the above-referenced docket. Please provide copies of all notices, CASRs, orders, staff recommendations, pleadings and other documents filed, served or issued in the above-referenced docket to the following:

Kenneth A. Hoffman, Esq.
William B. Willingham, Esq.
Rutledge, Ecenia, Underwood,
Purnell & Hoffman, P.A.
P. O. Box 551
Tallahassee, Florida 32302-0551
(904) 681-6788 (phone)
(904) 681-6515 (fax)

Thank you for your assistance in this matter.

Sincerely,

Kenneth A. Hoffmar

KAH/rl

Printed by Ruth Nettles	10/31/96	12:01pm
From: MASONC @ DMS ( Carolyn   To: Ruth Nettles Subject: fwd: Docket No. 9611		Code Relief Docket
Ruth Please add the fax number for Services attorney, to your do documents by fax. (FAX: 922-6 his Petition to Intervene. I call Steve at 487-9847. Than	Steve Mathues cket file so t 312) It was in f you have any	hat he can receive hadvertently left off questions, please
		Carolyn Mason
Fwd=by:=Ruth=Nettles====== Fwd to: MASONC @ DMS ( Caroly	n Mason)	
No problem, I 11 update our r	ecords right r	now.

Commissioners: SUSAN F. CLARK, CHAIRMAN J. TERRY DEASON JULIA L. JOHNSON DIANE K. KIESLING JOE GARCIA

### State of Florida



Blanca S. Bayó, Director Division of Records and Reporting (904) 413-6770

### Public Service Commission

October 16, 1996

Ms. Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301-1556

RE: Docket No. 961153-TL - 904 Area Code

Dear Ms. Sims:

The following dates and cities have been selected for the service hearings in the above referenced docket:

Monday, November 4, 1996 - Pensacola Tuesday, November 5, 1996 - Panama City Thursday, November 7, 1996 - Tallahassee Wednesday, November 13, 1996 - Daytona Beach Thursday, November 21, 1996 - Jacksonville

The locations are listed on the attached memorandums.

If you have any questions regarding this matter, please let me know.

Sincerely,

Blanca S. Bayó

BSB/cp

October 16, 1996

TO: Legal Services (Pelegrini, Cox, M. Brown)

FROM: Blanca S. Bayó, Director

Division of Records and Reporting

RE: Docket No. 961153-TL - 904 Area Code

Please be advised that the following location has been reserved for a service hearing to be held on Monday, November 4, 1996 in Pensacola at 6:30 p.m. C.S.T.

Pensacola City Hall

City Council Chambers (1st Floor)

180 Governmental Center

Pensacola, Florida

The contact person is Ms. Elaine Major 904-435-1625.

This is for your information, please review the Notice of Commission Hearing for more details.

### BSB/cp

cc: Commissioner Kiesling
Commissioner Garcia
Court Reporters
Communications (Greer)
Consumer Affairs (DeMello)
Office of Public Information (Cunningham)
Nanette Fisher

October 16, 1996

TO: Legal Serv

Legal Services (Pelegrini, Cox, M. Brown)

FROM:

Blanca S. Bayó, Director

Division of Records and Reporting

RE:

Docket No. 961153-TL - 904 Area Code

Please be advised that the following location has been reserved for a service hearing to be held on <u>Tuesday</u>, <u>November 5, 1996</u> in <u>Panama City</u> at <u>6:30 p.m. C.S.T.</u>

Panama City - City Hall

Commission Room

9 Harrison Avenue

Panama City, Florida

The contact person is Ms. Pam Costlow 904-872-3010.

This is for your information, please review the Notice of Commission Hearing for more details.

### BSB/cp

cc: Chairman Clark
Commissioner Kiesling
Commissioner Garcia
Court Reporters
Communications (Greer)
Consumer Affairs (DeMello)
Office of Public Information (Cunningham)
Nanette Fisher

October 16, 1996

TO:	Legal	Services	(Pelegrini,	Cox.	M.	Brown
		DC: 1100.	(* a.a.b		100	

FROM: Blanca S. Bayó, Director

Division of Records and Reporting

RE: Docket No. 961153-TL - 904 Area Code

Please be advised that the following location has been reserved for a service hearing to be held on <u>Thursday</u>, <u>November 7, 1996</u> in <u>Tallahassee</u> at <u>6:30 p.m.</u>

The Betty Easley Confere	nce Center
Hearing Room 148	
4075 Esplanade Way	
Tallahassee, Florida	

This is for your information, please review the Notice of Commission Hearing for more details.

### BSB/cp

cc: Chairman Clark
Commissioner Kiesling
Commissioner Garcia
Court Reporters
Communications (Greer)
Consumer Affairs (DeMello)
Office of Public Information (Cunningham)
Nanette Fisher

October 16, 1996

TO:

Legal Services (Pelegrini, Cox, M. Brown)

FROM:

Blanca S. Bayó, Director

Division of Records and Reporting

RE:

Docket No. 961153-TL - 904 Area Code

Please he advised that the following location has been reserved for a service hearing to he held on <u>Wednesday</u>, <u>November 13, 1996</u> in <u>Daytona</u> at <u>6:30 p.m.</u>

Ramada Resort Oceanfront

Ballroom

2700 N. Atlantic Avenue

Daytona Beach, Florida

The contact person is Ms. Linda Cole 904-672-3770.

This is for your information, please review the Notice of Commission Hearing for more details.

### BSB/cp

ce: Chairman Clark
Commissioner Deason
Court Reporters
Communications (Greer)
Consumer Affairs (DeMello)
Office of Public Information (Cunningham)
Nanette Fisher

October 16, 1996

TO: Legal Services (Pelegrini, Cox, M. Brown)

FROM: Blanca S. Bayó, Director

Division of Records and Reporting

RE: Docket No. 961153-TL - 904 Area Code

Please be advised that the following location has been reserved for a service hearing to be held on <u>Thursday</u>, <u>November 21, 1996</u> in <u>Jacksonville</u> at <u>6:30 p.m.</u>

Holiday Inn - Commonwealth

Ballroom

6802 Commonwealth Avenue at 1-295

Jacksonville, Florida

The contact person is Ms. Sandy Simmons 904-781-6000.

This is for your information, please review the Notice of Commission Hearing for more details.

### BSB/cp

ce: Chairman Clark
Commissioner Johnson
Court Reporters
Communications (Greer)
Consumer Affairs (DeMello)
Office of Public Information (Cunningham)
Nanette Fisher

**DAY** 

Dorlo Franklin Manager-Regulatory Affairs

Suite 700 101 N. Manroe Street Tallsheesen, FL 32301 904 425-6349

October 15, 1996

Mrs. Blanca Bayo, Director Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399

Docket No: 961153-TP

Dear Mrs. Bayo:

Please add my name to this docket as an interested person.

Doris M. Franklin AT&T 101 N. Monroe Street, Suite 700 Tallahassee, FL 32301

Dosis M. Tracklin / pal

Doris M. Franklin

96115 5

State of Florida

Sesan F. Clark Chairman



Gerald L. Gunter Building 2540 Shumard Oak Houleward Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 487-1716

Public Service Commissio

October 10, 1996

FPSC-RECORDS/REPORTING

The Honorable John A. Delaney Mayor City of Jacksonville 1400 City Hall 220 East Bay Street Jacksonville, Florida 32202

Dear Mayor Delaney:

Thank you for your letter dated September 30, 1996, in which you request Chairman Clark to consider Option C for numbering relief of the 904 area code.

BellSouth filed its petition for numbering plan relief of the 904 area code with the Commission on September 9, 1996. The Commission will hold a technical hearing on BellSouth's petition in Tallahassee on December 9, 1996. At this hearing, expert witnesses representing various parties to the proceeding will offer testimony regarding the best plan for relief in the 904 area code.

In addition, the Commission will hold a series of service hearings throughout the 904 area for the purpose of allowing members of the public to offer their comments to the Commissioners on this matter. We expect to hold one of these hearings in Jacksonville; however, the date, time and location have as yet not been determined.

After the hearings, staff will review the record and render a written recommendation to the Commissioners on January 9, 1997. The Commission will vote on this recommendation at its January 21, 1997, Agenda Conference.

Chairman Clark is unable to correspond with you on this matter. Section 350.042, Florida Statutes, prohibits Public Service Commissioners from receiving or initiating communications off the record regarding open dockets. However, I will place your letter on the correspondence side of the docket file where it will be available for review. Also, I will request the Commission's Division of Records and Reporting to add you to the

The Honorable John A. Delaney October 10, 1996 Page 2

mailing list for this docket so that you will get notices of the hearings and the agenda conference for this docket (Docket No. 961153-TL).

Thank you again for your letter.

Sincerely,

Wilbur J. Stiles, II

Assistant to the Chairman

c: Division of Records and Reporting (DN961153-TL) Stan Greer



96-0366 OCT-9

### OFFICE OF THE MAYOR

JOHN A. DELANEY
MAYOR

September 30, 1996

1400 CITY HALL 220 EAST BAY STREET JACKSONVILLE, FL 32202

Ms. Susan F. Clark
Chairman
Public Service Commission
Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0865

Dear Commissioner Clark:

I am writing to ask for your consideration of Option C offered to you by the BellSouth Telecommunications, Inc. petition for numbering relief of the 904 area code.

Option C would assign a new NPA Code to Pensacola and Panama City and keep both Tallahassee and Jacksonville in the 904 code. This option is obviously the least disruptive for Jacksonville but also maintains the existing, crucial link between business/residential constituents of North East Florida and our state's capitol. This option impacts fewer subscribers and NNX's than Options 1 and 1a (as stated in BellSouth's petition).

Although Option C offers a shorter relief internal than the other options it is difficult, at best to project the growth of users in the telecommunications industry because of the explosion of cellular phones and additional home lines accommodating the Internet.

We strongly support the Option C as presented in the petition and ask for your consideration. Please let me know when you will be considering this petition.

Sincerely,

John A. Delaney

JAD:GM:ja

RECEIVED

OCT 0 4 1996

Florida Public Service Comm. Commissioner Clark





Florida Cable Telecommunications Association

Steve Wilkerson, President

October 1, 1996



FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

RE: FPSC Docket No. 961153-TL

Dear Ms. Bayo:

I am writing to request that the Florida Cable Telecommunications Association, Inc. ("FCTA") be placed on the mailing list of persons interested in monitoring the above-referenced docket. Please send all mailings to the following:

Laura L. Wilson
Vice President, Regulatory Affairs
& Regulatory Counsel
Florida Cable Telecommunications Association, Inc
310 North Monroe Street
Tallahassee, FL 32301
904/681-1990 Tel.
904/681-9676 Fax
E-Mail Address: FCTAINC@aol.com.

Thank you for your assistance in this matter. Please contact me with any questions

Yours very truly,

Laura L. Wilson

Vice President, Regulatory Affairs

& Regulatory Counsel

LLW:baw

cc: Mr. Steven E. Wilkerson

**FPTA** 



125 SOUTH GADSDEN STREET, SLITE 200 . TALLAHASSEE, FLORON 32301 . (904) 222-5050 . FAX (904) 222-1355

September 26, 1996

### ----VIA PACSIMILE----

Blanca S. Bayó, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Re: Docket No. 961153-TL

Dear Ms. Bayó:

The Florida Public Telecommunications Association, Inc. requests that it be included on the mailing list as an interested entity in the above-referenced docket. Please address all correspondence as follows:

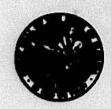
Angela B. Green, General Counsel Florida Public Telecommunications Association, Inc. 125 South Gadsden Street, Suite 200 Tallahassee, Florida 32301

Thank you for your assistance with this matter.

Angera B. Green General Counsel

Sincerely

Commissioners:
SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF RECORDS & REPORTING BLANCA S. EAYO DIRECTOR (904) 413-6770

### Public Service Commission

September 24, 1996

J. Phillip Carver, Esquire c/o BellSouth Telecommunications, Inc. 150 South Monroe Street, Suite 400 Tallahassee, Florida 32301

RE: Docket No. 961153-TL

Dear Mr. Carver:

This will acknowledge receipt of a petition for numbering plan area relief for 904 area code, by BellSouth Telecommunications, Inc., which was filed in this office on September 20, 1996 an assigned the above-referenced docket number. Appropriate staff members will be advised.

Division of Records and Reporting Florida Public Service Commission Commissioners: SUSAN F. CLARK, CHAIRMAN J. TERRY DEASON JULIA L. JOHNSON DIANE K. KIESLING JOE GARCIA State of Florida



Manca S. Bayó, Director Division of Records and Reporting (904) 413-4770

### Public Service Commission

DATE:

December 23, 1996

TO:

Parties of Record

FROM:

Blanca S. Bayó, Director

Division of Records and Reporting

RE:

Docket No. 961153-TL - Petition for numbering plan area relief for 904 area

code by BellSouth Telecommunications, Inc.

This is to inform you that the Chairman has reported the following communication in the above referenced docket.

Letter from State Representative George Crady dated November 22, 1996, and the Chairman's response.

The letter from Representative Crady and the Chairman's response, copies of which are attached, are being made a part of the record in these proceedings. Pursuant to Section 350.042, F.S., any party who desires to respond to an ex parte communication may do so. The response must be received by the Commission within 10 days after receiving notice that the ex parte communication has been placed on the record. Please mail your response to the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

BSB/cp

Attachments

cc: Rob Vandiver/w/letter



96-0107 NOV 25

### Florida House of Representatives

Bes US Highway 17 Yuke FL MOST

904-225-50A5

FAX 904-225-5001

Ms. Susan F. Clark Chairwoman, Florida Public Service Commission 2540 Shumard Oak Boulevard

Tallahassee, Florida 32399-0850

Dear Ms. Clark:

GEORGE CRADY RIPRIMINTATIVE DISTRICT 12

416 House Clive Bulane Tallahaure, FL sers 1500 904-488-6920

. r.



It has recently come to my attention that the Florida Public Service Commission (PSC) is considering changing the area code for the Jacksonville Local Access and Transfer Area (LATA). As I understand the situation, the Panhandle of Florida would continue using the 904 area code, while Jacksonville would be assigned the new 850 area code. I am writing to express my reservations about this plan and to suggest a better alternative.

The Jacksonville and Daytona LATA comprises a majority of the population of the business and residential customers in the current 904 area code. The economic inconvenience that would be placed on the businesses and governmental entities of Northeast Florida would be disproportionately greater due to the size and quantity of the small, medium, and large businesses in this region.

It would, therefore, seem more logical to allow the Jacksonville and Daytona LATA to remain within the 904 calling zone, while assigning the new 850 area code to the less populated western Panhandle.

Thank you for your consideration of the ideas that I have suggested, and please contact me if I can be of any further assistance on this issue.

Sincerely yours.

Representative, District 12

RECEIVED

NOV 2 5 1996

Florate ou lic Service Comm. Commissioner Clark

GC/mtf

Sesan F. Clark Chairman



Gerald L. Gurner Building 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 (904) 413-6040 FAX (904) 487-1716

### Public Service Commission

December 18, 1996

The Honorable George Crady Representative, District 12 Florida House of Representatives 823 U.S. Highway 17 Yulee, Florida 32097

Dear Representative Crady:

Thank you for your letter of November 22, 1996, outlining your concerns with the possible change in the area code for Jacksonville from 904 to 850. The area covered by the 904 area code extends across the northern part of Florida and includes the Daytona Beach, Jacksonville, Tallahassee, Panama City and Pensacola areas. The present 904 area code is expected to run out of numbers in the second quarter of 1998 and some relief plan must be implemented prior to that date.

The Florida Public Service Commission was petitioned by BellSouth to make a decision and order a specific plan of relief. In November, the Commission held public hearings in the five cities listed above to enable citizens to express their opinions. A final hearing on this matter was held on December 9, 1996. The evidence gathered in this hearing along with the testimony from the public hearings and letters such as yours will be weighed by the Commission staff who will make a recommendation to the Commission. The Commission is currently scheduled to decide on the appropriate relief plan at its January 21, 1997, Agenda Conference.

As you noted, one of the proposed plans would change the area code for the Jacksonville area; however, others would not. I am attaching a bulletin that the Commission distributed at its public hearings to give you more information about the various proposals currently before the Commission.

I am unable to comment on the merits of this case because it is a pending docket. Also, Florida Law requires that I place a copy of your letter and my response on the record of the proceeding and allow the parties an opportunity to respond.

The Honorable George Crady December 18, 1996 Page 2

If you or your staff should have any questions, please call Mr. Stan Greer of the Commission's Division of Communications at (904) 413-6562.

Lincerely,

Susan F. Clark Chairman

c: Division of Records and Reporting -- DN961153-TL

## Public Service Commission

2540 Shamari Ook Boulevard Tallahassee Florids 32390-0870

Telecommunications Resellers Associandrew Isar 1155 Connect out Ave., NW. #401 Washington Dc. 20036-



TORWARD FIRE EXP. RIVERS ASSOC

SAN MERCHANISMO

Commissioners: SUSAN F. CLARK, CHAIRMAN J. TERRY DEASON JULIA L. JOHNSON DIANE K. KIESLING JOE GARCIA



DIVISION OF RECORDS & REPORTING BLANCA S. BAYO DIRECTOR (904) 413-6770

### Public Service Commission

December 27, 1996

Dear Party or Interested Person:

On the reverse side of this page is an excerpt from the January 7. 1997 Agenda for the Commission's conference, which is scheduled to begin at 9.30 a.m. in Room 148 of the Betty Easley Conference Center, 4075 Esplanade Way. Tallahassee. The excerpt summarizes the issues to be decided in a docket in which you have expressed an interest.

As a party of record or interested person in the docket, you may wish to attend the conference. If you drive to the conference, you should be able to find a parking space in one of the visitor spaces in front of the Betty Easley Conference Center, or in front of the Gerald L. Gunter Building at 2540 Shumard Dak Boulevard

If you attend the Conference for the purpose of addressing the Commission or answering questions, you should sign the appearance register, which is located on a table at the back of the hearing room. If you fail to sign the register, you may miss the opportunity to speak before the Commissioners vote on the docket. The Chairman will announce each item as it is taken up and ask for your comments at the appropriate time.

Also, as a party of record or interested person in this docket, you may wish to obtain a copy of the Commission staff's recommendation. To do so, call the Records Section of this office at (904) 413-6770

Sincerely.

Blanca S. Bayó

Attachment

### Public Service Commission

2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

2001372461

Commissioners: SUSAN F. CLARK, CHAIRMAN J. TERRY DEASON JULIA L. JOHNSON DIANI: K. KIESLING JOE GARCIA



DIVISION OF RECORDS & REPORTING BLANCA S. BAYO DIRECTOR (904) 413-6770

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Also, as a party of record or interested person in this docket, you may wish to obtain a copy of the Commission staff's recommendation. To do so, call the Records Section of this office at (904) 413-6770

Sincerely.

Blanca S. Bayó

Attachment

Agenda for Commission Conference January 7, 1997

ITEM NO.

CASE

17\*\*

DOCKET NO. 960786-TL - Consideration of BellSouth Telecommunications, Inc.'s entry into interLATA services pursuant to Section 271 of the Federal Telecommunications Act of 1996.

Docket Opened: 6/28/96

Critical Date: None

Commissioners Assigned: rull Commission Prehrq Officer JN

Staff: LEG: Barone CMU: Greer

Issue 1: Recommendation that the Commission deny AT&T Communications of the Southern States, Inc.'s, MCI Telecommunications Corporation's, Worldcom, Inc. d/b/a LDDS WorldCom's and the Florida Interexchange Carriers Association's Joint Motion Requiring Advance Notice of Filing. However, the Commission should issue an order that:
1) requests BellSouth to provide 60 days advance notice;
2) concurrent with 1), requests BellSouth to identify the agreements it believes have met the competitive checklist; and 3) urges BellSouth to present all of the evidence, upon which it intends to rely, to the Commission two weeks before it files its application for interLATA authority with the FCC.

## Public Service Commission

2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

2001372461

Gig \* Gilower ) 3: A

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Simple AV W. Wall. Bridge CMS Module \* BellSouth Telecommunication

Printed by Carol Purvis 12/20/96 12:15pm

From: Carol Purvis Confirm receipt

To: Curtis Williams, Charles Rehwinkel, Brenda Ferris, Braulio Baez

Subject: Ex Parte

The Chairman has reported receiving a letter from State Representative George Crady, on November 22, 1996, concerning Docket No. 961153-TL. We are preparing to distribute the letter and the Chairman's response to the parties to this docket. Would you please advise if your Commissioner also received this letter from

Representative Crady.

Printed by Carol	Purvis 12/20	0/96 5:54p	om	
From: Carol Purvis To: Braulio Baez, Subject: fwd: Ex Pa	Brenda Ferris,	Charles Rehw	inkel, Curtis I	<b>Villiams</b>
The Chairman has re Crady, on November distribute the lett Would you please ad Representative Crad	ported receivin 22, 1996, conce er and the Chai vise if your Co	ng a letter fro erning Docket irman's respon	om State Repres No. 961153-TL. se to the part:	we are preparing to ies to this docket.
Fwd=by:=Braulio=Bae Fwd to: Carol Purvi	S			
Our office did not				

We have not received such a letter at this time.

Commissioner Kiesling did not receive this correspondence.

arol Purvis 1/28/97 3:38pm

Confirm receipt Charles Rehwinkel, Brenda Ferris, Billy Stiles, Curtis Williams

Commissioner Garcia has reported receiving a communication from Councilman King Holzendorf, dated January 27, 1997, concerning Docket No. 961153-TL. We are preparing to distribute the communication to the parties to this docket. Would you please advise if your Commissioner also received this communication from Councilman Holzendorf.

arol Purvis 1/28/97 3:56pm

Yes, Chairman Johnson did receive this communication.

arol Purvis 1/28/97 3:55pm

Carol Purvis
Billy Stiles, Brenda Ferris, Charles Rehwinkel, Curtis Williams
ubject: fwd: Ex Parte

Commissioner Garcia has reported receiving a communication from Councilman King Holzendorf, dated January 27, 1997, concerning Docket No. 961153-TL. We are preparing to distribute the communication to the parties to this docket. Would you please advise if your Commissioner also received this communication from Councilman Holzendorf.

Yes, this office did receive a copy of the letter addressed to Commissiner Clark from King Holzendorf. However, pursuant to the memo sent to the docket file this date, the letter was intercepted and Commissioner Deason has not viewed it or considered it.

carol Purvis 1/28/97 4:13pm

carol Purvis

Billy Stiles, Brenda Ferris, Charles Rehwinkel, Curtis Williams

Aubject: fwd: Ex Parte

Fwd to: Carol Purvis CC: Kay Posey

We, too, received this communication. As with the letter from Mayor Delaney,

Councilman Holzendorf's letter will be intercepted and I will respond.

carol Purvis 1/28/97 4:43pm

CONFIRMED Carol Purvis Billy Stiles, Brenda Ferris, Charles Rehwinkel, Curtis Williams

Subject: fwd: Ex Parte

Commissioner Garcia has reported receiving a communication from Councilman King Holzendorf, dated January 27, 1997, concerning Docket No. 961153-TL. We are preparing to distribute the communication to the parties to this docket. Would you please advise if your Commissioner also received this communication from Councilman Holzendorf.

Fwd=by:=Brenda=Ferris=1/28/97==4:35pm========

Fwd to: Carol Purvis

Commissioner Kiesling did not receive this correspondence