

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request by Cypresswood) DOCKET NO. 931005-TL
Meadows Homeowners Association,) ORDER NO. PSC-94-0078-FOF-TL
Inc. to move remaining portion) ISSUED: January 24, 1994
of Cypresswood Meadows (which is)
currently located in the Haines)
City exchange) to the Winter)
Haven exchange.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER REQUIRING SUBSCRIBER SURVEY

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Cypresswood Meadows PUD is a very large subdivision (710 homes) that is surrounded by a golf course and can only be accessed through one secured entrance. Currently, the majority of the PUD is served by GTEFL from the Winter Haven telephone exchange, but a portion is served by the Company from the Haines City exchange. We have been asked to investigate the feasibility of serving the PUD from one exchange.

The residents' concerns are illustrated by one customer's circumstance. After he moved three blocks from his previous address in the PUD, he discovered that he could not transfer his telephone number. He is now served from the Haines City exchange instead of the Winter Haven exchange even though his mailing address is still Winter Haven. Since his telephone exchange and mailing address differ, there is concern that it will be difficult for anyone to obtain his number from directory assistance. Additionally, he must now pay long distance charges to Lakeland, which is his main shopping area as well as to Bartow, which is the county seat.

DOCUMENT NUMBER-DATE

00756 JAN 24 1994

FPSC-RECORDS/REPORTING

Listed below are the current local calling areas for both exchanges. If the boundary change is approved, the telephone number, calling scope and monthly rate for the Haines City portion of the Cypresswood Meadows PUD will change.

EXCHANGE COMPARISON				
EXCHANGES	R-1	B-1	PBX	CALLING SCOPE
Haines City	\$10.68	\$27.27	\$49.42	EAS - Poinciana (427), Lake Wales, Winter Haven
Winter Haven	\$11.18	\$28.52	\$50.67	EAS - Bartow, Haines City (excluding Poinciana), Lakeland, Lake Wales, Polk City

GTEFL estimates the cost to move the remaining Cypresswood subscribers into the Winter Haven exchange to be \$126,049 (\$603.11 per customer). The Company states that the actual physical process to change the remaining Haines City subscribers of the PUD to the Winter Haven exchange is very simple and should only take a week or two to complete. The Company also states that this area has had problems for a long time and indicates that it is willing to absorb the cost.

Upon review, we find that the circumstances presented in this case warrant a boundary change if the subscribers are in favor of such a change.

The Cypresswood Meadows subscribers who are served from the Haines City exchange shall be surveyed to determine if they are in favor of moving from the Haines City exchange to the Winter Haven exchange. This will result in a monthly increase in their local rates of \$.50 for residential and \$1.25 for business. The balloting shall follow the same guidelines as for Extended Area Service (EAS). The ballot shall be reviewed by our staff prior to distribution.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Cypresswood Meadows subscribers who are currently served from the Haines City exchange, be surveyed to determine if they are in favor of moving from the Haines City exchange into the Winter Haven exchange. It is further

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ORDERED that the survey shall be conducted within 30 days of the date that this Order becomes final as set forth below. It is further

ORDERED that GTEFL submit the proposed ballot to our staff for review prior to distribution to its customers. It is further

ORDERED that this docket shall remain open pending the outcome of the customer survey.

By ORDER of the Florida Public Service Commission, this 24th day of January, 1994.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose

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substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on February 14, 1994.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.