

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution by Lake Wales ) DOCKET NO. 940406-TL  
City Commission requesting ) ORDER NO. PSC-94-1470-FOF-TL  
extended area service throughout ) ISSUED: November 30, 1994  
Polk County )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION

ORDER DENYING EXTENDED AREA SERVICE

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.

I. BACKGROUND

This docket was initiated pursuant to Resolution No. 94-08 filed by the Lake Wales City Commission requesting extended area service (EAS) throughout Polk County, which includes the Lakeland, Mulberry, Fort Meade, Haines City (427), Avon Park, Polk City and Bowling Green exchanges. GTE Florida Incorporated (GTEFL) serves the Haines City, Lakeland, Mulberry and Polk City exchanges. United Telephone Company of Florida (United) serves the Avon Park, Bowling Green, and Fort Meade exchanges (Avon Park and Bowling Green have pockets within Polk County). The Haines City, Lakeland, Mulberry and Polk City exchanges are located in the Tampa Market Area. The Fort Meade, Bowling Green and Avon Park exchanges are located in the Fort Myers Market Area.

By Order No. PSC-94-0606-PCO-TL, issued June 1, 1994, we required GTEFL and Southern Bell to conduct traffic studies on these routes.

DOCUMENT NUMBER-DATE

12047 NOV 30 1994

FPSC-RECORDS/REPORTING

By Order No. PSC-94-1019-FOF-TL, issued August 23, 1994, we granted GTEFL's Motion for Modification of Order No. PSC-94-0606-PCO-TL to relieve it from the requirement of conducting traffic studies on the interLATA routes as follows: Lake Wales/Avon Park, Lake Wales/ Bowling Green, Lake Wales/Fort Meade. Because the Company no longer performs recording and rating of interLATA calls for AT&T Communications of the Southern States, Inc. (ATT-C), GTEFL no longer has access to all the interLATA data necessary to compile the traffic studies. The issue of how interLATA traffic should be gathered is currently being addressed in Docket No. 930220-TL.

GTEFL and United have both requested confidential treatment of their traffic studies.

## II. EVALUATION FOR EAS

Rule 25-4.060(3)(a), Florida Administrative Code, requires a calling rate of at least three (3) Messages per Access Line per Month (M/A/Ms) in cases where the petitioning exchange contains less than half the number of access lines as the exchange to which extended area service is desired. This rule further requires that at least 50% of the subscribers in the petitioning exchange make two or more calls per month to the larger exchange to qualify for traditional EAS.

Since we have traffic information available on a majority of the requested routes, we shall evaluate these routes now. The remaining interLATA GTEFL routes shall be addressed after the conclusion of Docket No. 930220-TL: Lake Wales/Avon Park, Lake Wales/ Bowling Green, and Lake Wales/Fort Meade interLATA routes. Avon Park and Bowling Green also have pocket areas that will be evaluated.

Based on the requirements of Rule 25-4.060(3)(a), Florida Administrative Code, we find that none of the toll routes evaluated qualified for nonoptional, flat rate, two-way extended area service.

## III. ALTERNATIVE TOLL PLANS

The calling rates on the routes at issue in this docket do not have sufficient calling volumes or distribution to warrant an alternative toll plan. None of the routes met the 3 M/A/M requirement or the distribution criteria.

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Historically, we have implemented the \$.25 calling plan on routes that did not meet the calling volume or distribution requirements but exhibited a substantial showing. Typically, these cases were close to meeting the requirements but failed either on the distribution or volume level by a small percentage. With the exception of the Lake Wales/Lakeland route, the routes examined were not close to meeting the requirements. The Lake Wales/Lakeland route fell short of the M/A/M requirement by a small margin but was significantly short of the distribution requirement.

We note that we are not considering alternative plans at this time for the interLATA routes involving GTEFL. These routes shall be evaluated after the conclusion of Docket No. 930220-TL.

The calling rates on the routes studied do not exhibit a sufficient community of interest to warrant any form of toll relief. Therefore, we find that no alternative toll plans shall be implemented on these routes.

It is therefore

ORDERED by the Florida Public Service Commission that the request for extended area service throughout Polk County filed by the Lake Wales City Commission by Resolution No. 94-08 is hereby denied for the reasons set forth in the body of this Order. It is further

ORDERED that no alternative toll plans shall be implemented on the routes that were evaluated in this docket. It is further

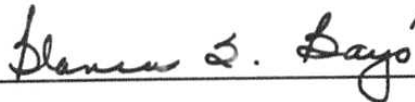
ORDERED that we shall evaluate the interLATA routes involving GTE Florida Incorporated after the conclusion of Docket No. 930220-TL as discussed within the body of this Order. It is further

ORDERED that this docket shall remain open pending resolution of Docket No. 930220-TL. It is further

ORDERED that this Order shall become final and effective on the date set forth below if no timely protest is filed pursuant to the requirements set forth below.

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By ORDER of the Florida Public Service Commission, this 30th  
day of November, 1994.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

DLC

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 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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on December 21, 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 substantially affected may request judicial review by the Florida Supreme Court in the case of an

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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.