

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 941253-TL
tariff filing to allow Series) ORDER NO. PSC-95-0181-FOF-TL
6100 Private Line Channels) ISSUED: February 8, 1995
(Wired Music) to remain)
grandfathered by GTE FLORIDA)
INCORPORATED (T-94-630)
FILED 11/18/94) _)

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING TARIFF FILING

BY THE COMMISSION:

I. BACKGROUND

On November 18, 1994, GTE Florida Incorporated filed a tariff to extend the obsolete treatment provision for 6100 Private Line Channels wired music.

When there is not sufficient demand for a phone company service, the service is usually "obsoleted." This typically occurs with older services that have been replaced with new services because of improved technology. When a service has been obsoleted, no new customers may subscribe. Existing customers continue to receive the service but may not add additional units of the service. The obsoleted service is usually deleted from the tariff after a period of time which allows all customers to change to a more modern alternative service.

Wired Music channels were obsoleted because demand for the service was declining. However, two customers have continued to subscribe to GTE Florida's Series 6100 channels. When these customers received notice that the Series 6100 channels would be deleted, they complained that this would negatively affect their business. As a result, on November 15, 1994, GTE Florida requested that this Commission not delete its Series 6100 Channels (Wired

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service alternatives to Wired Music Channels are available for its customers.

II. ANALYSIS AND DECISION

By Order No. PSC-92-0401-FOF-TL, issued May 5, 1992, in Docket No. 910967-TL, this Commission ordered GTE Florida to delete several of its obsoleted private line services when Phase III of the intraexchange private line repricing and restructure was implemented on December 1, 1994.

On November 18, 1994, GTE Florida filed proposed revisions to its General Services Tariff which would allow Series 6100 Private Line Channels (Wired Music) to remain in the obsolete section of its tariff because it does not offer an alternative service and its customers would be adversely affected. In addition, GTE Florida proposed to increase the local channel and interoffice rates to equal the Phase III rates.

Upon consideration, GTE Florida's tariff to allow Series 6100 Private Line Channels (Wired Music) to remain in the obsolete section of the tariff is approved. This exception to the cut-off date for this service mandated in Order No. PSC-92-0401-FOF-TL is being granted because there is no reasonable alternative for the current customers of the service. The tariff shall be effective on March 1, 1995.

GTE Florida's proposed restructure and increase of its Series 6100 Private Line Local Channel and Interoffice Channel rates is also approved. GTE Florida's tariff filing restructures and increases rates for this service as was done with the regular analog local channels in Docket No. 910967-TL. The new rates will equal the Phase III rates of intraexchange analog local channels which became effective December 1, 1994. The restructure and increase shall become effective March 1, 1995 to coincide with the effective date of the tariff.

Based on the foregoing, it is

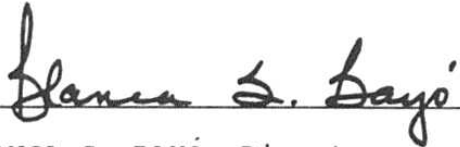
ORDERED by the Florida Public Service Commission that GTE Florida's tariff filing revising its General Services Tariff to allow Series 6100 Private Line Channels (Wired Music) to remain in the obsolete section of its tariff and increase the local channel and interoffice rates to equal the Phase III rates is approved with an effective date of March 1, 1995. It is further

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ORDERED that if a protest is filed in accordance with the requirement set forth below in the Notice of Further Proceedings or Judicial Review, the tariff shall remain in effect with an increase in revenues held subject to refund pending resolution of the protest. It is further

ORDERED that, if no protest is timely filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 8th day of February, 1995.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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 Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on March 1, 1995.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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 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 date this Order becomes final, 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.