

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for waiver of) DOCKET NO. 951287-TL
rule requirement that capital) ORDER NO. PSC-95-1599-FOF-TL
recovery study be submitted on) ISSUED: December 27, 1995
or before December 31, 1995, and)
for delayed filing date, by St.)
Joseph Telephone & Telegraph)
Company, Gulf Telephone Company,)
and The Florala Telephone)
Company, Inc.)

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING EXTENSION OF TIME

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.

On October 20, 1995, St. Joseph Telephone & Telegraph Company (St. Joseph), Gulf Telephone Company (Gulf) and The Florala Telephone Company, Inc. (Florala) filed requests for an extension of time to file their depreciation studies. Rule 25-4.0175(8)(a), Florida Administrative Code, requires telephone companies to file a comprehensive depreciation study at least once every three years from the submission of the previous study unless authorized by the Commission. In accordance with this Rule, St. Joseph's next depreciation study is due on December 18, 1995, Gulf's is due on February 19, 1996, and Florala's is due on August 14, 1995.

The companies filed these requests in light of the pending rule changes regarding capital recovery that will be implemented on July 1, 1996 as a result of the new telecommunications law.

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Section 364.052(2)(a), Florida Statutes, requires the Commission to establish, by July 1, 1996, ranges of basic factors for lives and salvage values to be used in developing depreciation rates for small local exchange companies subject to rate base regulation. Companies will then have the option of using basic factors within the established ranges or filing depreciation studies. The companies have requested a delayed filing date to permit them to use this new streamlined procedure. We therefore grant the companies an extension of time and will allow them to submit their studies no later than June 30, 1996, with a January 1, 1996 implementation date for new rates.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the requests by St. Joseph Telephone & Telegraph Company, Gulf Telephone Company, and The Florida Telephone Company, Inc. for an extension of time until June 30, 1996 to file depreciation studies required by Rule 25-4.0175(8)(a), Florida Administrative Code, are granted. It is further

ORDERED that, unless a person whose substantial interests are affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, below, this Order shall become final and this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 27th day of December, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Dwyer
Chief, Bureau of Records

(S E A L)

LMB

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 17, 1996.

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 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.