

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for extended area)	DOCKET NO. 870436-TL
service between the Hastings and)	ORDER NO. 21518
St. Augustine exchanges)	ISSUED: 7-7-89

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
THOMAS M. BEARD

ORDER REQUIRING IMPLEMENTATION OF
EXTENDED AREA SERVICE

BY THE COMMISSION:

By Order No. 20153, issued October 12, 1988, we announced our decision to require implementation of extended area service (EAS) between the Hastings exchange and the St. Augustine exchange, upon terms and conditions specified in the Order. The Hastings exchange is served by ALLTEL Florida, Inc. (ALLTEL), while the St. Augustine exchange is served by Southern Bell Telephone and Telegraph Company (Southern Bell).

By Order No. 20153 we directed ALLTEL to survey the subscribers in the Hastings exchange for flat-rate, two-way, nonoptional EAS, to and from the St. Augustine exchange. In the event the Hastings customers did not approve this plan, we still believed some type of toll relief was warranted along this route. Therefore, in the event the subscriber survey failed, ALLTEL would be required to implement a modified version of its optional plan on the Hastings to St. Augustine route, while Southern Bell would be required to implement Toll-Pac on the St. Augustine to Hastings route.

Order No. 20153 was issued following a public hearing, pursuant to Section 120.57, Florida Statutes, and thus was a final order. Any motions for reconsideration of the Order were to be filed within fifteen (15) days of its issuance date, or by October 27, 1988, as specified in Rule 25-22.060, Florida Administrative Code. On October 25, 1988, ALLTEL requested an extension of time in which to file its Motion for Reconsideration of Order No. 20153. As grounds for the requested extension of time, ALLTEL stated that it did not intend to seek reconsideration of Order No. 20153 if the Hastings subscribers voted affirmatively for implementation of

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flat-rate, two-way, nonoptional EAS. ALLTEL's request was granted and is reflected in Order No. 20300, issued November 10, 1988.

ALLTEL then proceeded to conduct the required survey of the Hastings subscribers. The results of this survey were reported to us at our January 31, 1989, Agenda Conference. The Hastings customers failed to approve the flat-rate, two-way, nonoptional EAS plan, but only by a slim margin. Because the survey was conducted during the Thanksgiving and Christmas seasons and because the vote was so close, we issued Order No. 20778 on February 20, 1989, and directed ALLTEL to resurvey these customers.

ALLTEL mailed 1,164 ballots to all customers of record in the Hastings exchange, to be returned by May 15, 1989. A total of 785 ballots (67.4%) were returned. 623 subscribers (53.5%) voted in favor of the plan, while 152 subscribers (13.1%) voted against the plan. The other 10 ballots (.8%) were determined to be invalid. In order for the survey to pass, we required a margin of 50% plus one (1) favorable vote, or at least 583 favorable votes, out of all subscribers surveyed. Therefore, the survey has passed and ALLTEL and Southern Bell are directed to take the necessary steps to implement a flat-rate, two-way, nonoptional EAS plan that meets the terms and conditions specified in Order No. 20153, within twelve (12) months of the issuance date of that Order, or by October 12, 1989. This includes the filing of appropriate tariff revisions by the companies. Additionally, since the survey of the Hastings customers has passed, the objections raised by ALLTEL to the alternative toll relief plan described in Order No. 20153 have now become moot.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that ALLTEL Florida, Inc. and Southern Bell Telephone and Telegraph Company shall implement extended area service between the Hastings exchange and the St. Augustine exchange pursuant to the terms set forth herein. It is further

ORDERED that this docket is hereby closed.

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By ORDER of the Florida Public Service Commission,
this 7th day of JULY, 1989.



STEVE TRIBBLE, 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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer 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

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the appropriate court. This filing must be completed within thirty (30) days after the issuance 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.