**FLORIDA PUBLIC SERVICE COMMISSION**

**Fletcher Building**

**101 East Gaines Street**

**Tallahassee, Florida 32399-0850**

**M E M O R A N D U M**

**JANUARY 7, 1993**

**TO : DIRECTOR, DIVISION OF RECORDS AND REPORTING**

**FROM : DIVISION OF COMMUNICATIONS [CHASE]**

**DIVISION OF LEGAL SERVICES [MURPHY]**

**RE : DOCKET NO. 921196-TL- PETITION FOR WAIVER OF RULE 25-4.040, F.A.C., REGARDING THE CHANGING OF DIRECTORY PUBLICATION DATE FROM FEBRUARY TO JUNE, BY NORTHEAST FLORIDA TELEPHONE COMPANY.**

**AGENDA: JANUARY 19, 1993**

**CRITICAL DATES: NONE**

**SPECIAL INSTRUCTIONS: I:\PSC\CMU\WP\921196.RCM**

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**CASE BACKGROUND**

This docket addresses a follow-up matter to Northeast Florida Telephone Company's (Northeast) rate case, Docket No. 91-0731. Order No. PSC-92-0337-AS-TL, issued 5/12/92 in the rate case docket, required the implementation of a $0.25 local calling plan between Northeast's Macclenny and Sanderson exchanges and Southern Bell's Baldwin, Maxville, and Jacksonville exchanges by June 21, 1992. This recommendation addresses the motion for waiver of Rule 25-4.040, F.A.C. filed by Northeast in order to change the publication date of its directory from February to June, 1993.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should Northeast's motion to waive Rule 25-4.040, F.A.C. be granted?

**RECOMMENDATION:** Yes, the motion should be granted.

**STAFF ANALYSIS:**

**Rule requirements:**

"Each local exchange telecommunications company shall normally publish updated telephone directories once every 12 months and shall publish updated directories at least once every 15 months." (Rule 25-4.040 (1), F.A.C.)

"When expanded calling scopes are involved, as with Extended Area Service, each subscriber shall be provided with directory listings for all published telephone numbers within the local service area." (Rule 25-4.040 (2), F.A.C.)

**Analysis:**

As a result of the implementation of the $0.25 plan, Northeast must provide directory listings for both of its exchanges and for the Southern Bell exchanges of Baldwin, Maxville, and Jacksonville, as required by Rule 25-4.040 (2), F.A.C. The Company believes that it would be in the long term best interest for the customers of Northeast to have Northeast's directory published at the same time as Southern Bell's directory. At the present time Northeast publishes its directory for the involved exchanges in February of each year, while Southern Bell publishes its directory in June. This means that the Southern Bell listings would be almost a year old (counting from the cut-off date for Southern Bell listings) before they would appear in the Northeast directory. By changing the publication date from February 1993 to June 1993, Northeast would not anticipate having to request temporary rule waivers in the future relating to directory publication. If the request is granted, Northeast would fall outside of the parameters of the directory publication rule by only one month (Rule 25-4.040 (1), F.A.C.), however, it's customers would receive the benefit of more current listings. On this basis, staff believes that Northeast should be allowed to move the publication date of its directory to June 1993 to coincide with Southern Bell's publication date. This would be a one time waiver of the rule, which appears to be in the best interest of Northeast's customers.

**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** Yes. This docket should be closed after the expiration of the protest period if no timely protest is filed.

921196.RCM