

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed tariff filing ) DOCKET NO. 910967-TL  
to reprice and restructure Local )  
Private Line Services by GTE )  
FLORIDA INCORPORATED. )  
\_\_\_\_\_)  
In Re: Proposed tariff to allow ) DOCKET NO. 920335-TL  
contract service arrangements ) ORDER NO. PSC-93-126b-FOF-TL  
for extended communications ) ISSUED: August 31, 1993  
services (EXCS) and area )  
communications service (ACS) by )  
SOUTHERN BELL TELEPHONE AND )  
TELEGRAPH COMPANY. )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK  
JULIA L. JOHNSON  
LUIS J. LAUREDO

ORDER REGARDING PRIVATE LINE

BY THE COMMISSION:

I. Background

This docket was opened on September 19, 1991, to address a tariff filing to reprice and restructure intraexchange local private line services by GTE Florida Incorporated (GTEFL). By Order No. PSC-92-0401-FOF-TL, we approved the repricing and restructuring of GTEFL's local private line service with 3 phases of rate increases. The phase-in approach for the rate increases is because the increases were so substantial. The original effective date for Phase I rates of the restructure of GTEFL's local private line was August 8, 1992. Phases II and III were to follow on August 1, 1993, and August 1, 1994, respectively.

At the Agenda Conference held July 21, 1992, GTEFL requested an extension of the effective date of Phase I until September 1, 1992. This was objected to by a representative of Sonitrol Alarm Company of West Pasco County (Sonitrol). At that time we directed GTEFL to determine if alternatives were available, such as derived channel service or some form of switched service.

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As a result, GTEFL agreed to, and we approved, an effective date for the Phase I restructure of December 1, 1992, except for the alarm portion of local private line service. Phases II and III for all local private line services except alarm circuits were to follow on December 1, 1993, and December 1, 1994, respectively. Granting the extension gave GTEFL extra time to adequately notify its customers and to seek solutions to lessen the impact of the restructure on the alarm companies.

#### II. GTEFL Alarm Circuit Rate Implementation Dates

As part of the solution to lessen the impact, GTEFL has now filed a tariff for Derived Channel Multiplex (DCX) alarm service. With this solution, it is appropriate to consider possible implementation dates for the restructure of the alarm portion of GTEFL's local private line service.

GTEFL would like to implement the alarm portion of the local private line tariff as soon as its Alarm Transport Service tariff is approved. However, GTEFL realizes that alarm companies did not have the DCX-based option when the restructure was first ordered. Upon review, we find that there needs to be some transition time since a DCX-based service like Alarm Transport Service is just now being offered by GTEFL. Sonitrol has asked for an additional year and a half before Phase I implementation because it has to convert all of the equipment for each of its clients. It estimates that it can convert one client per working day, and it has approximately 300 clients.

Upon review, we find that it is appropriate to implement Phase I for alarm on June 1, 1994, and Phase III as previously scheduled on December 1, 1994. Implementing Phase I on June 1, 1994, will allow alarm companies and customers time to adjust to the changes. The final increase to Phase III on December 1, 1994, will put the alarm lines back on track with the rest of the private line restructuring. GTEFL shall notify its customers of the rate changes both 60 and 30 days before the implementation dates.

#### III. Withdrawal of Intermedia's protest

As discussed above, Docket No. 910967-TL was opened on September 19, 1991, to address the tariff filing to reprice and restructure local private line services by GTEFL. On May 26,

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1992, we issued Order No. PSC-92-0401-FOF-TL, approving GTEFL's tariff restructuring private line services. On June 16, 1992, Intermedia Communications of Florida, Inc. (Intermedia) filed a petition protesting the approval of the tariff. In its petition, Intermedia argued that GTEFL's approach to offsetting the increased rates of private line was anti-competitive.

Intermedia also filed a petition protesting Order No. PSC-92-0341-FOF-TL, issued in Docket No. 920335-TL, in which we approved BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company's (Southern Bell's) tariff to allow contract service arrangements for extended communications service (EXCS) and area communications service (ACS).

Because these dockets are interrelated, by Order No. PSC-92-1473-FOF-TL, issued December 21, 1992, we ordered hearings on Intermedia's protests in both dockets. Intermedia has now filed for voluntary dismissal of its protest in both dockets. It appears that the issues raised by Intermedia can better be considered in pending generic dockets such as: Effectively Competitive--930046-TP; Cross-subsidization--910757-TP; and Cost of Service--900633-TL.

Upon review, we shall acknowledge the withdrawal of Intermedia's protests in both dockets. With this acknowledgement, Dockets Nos. 920335-TL and 910967-TL shall be closed.

Based upon the foregoing, it is

ORDERED by the Florida Public Service Commission that the effective date of the alarm portion of the repricing and restructuring of GTE Florida Incorporated's local private line service shall be June 1, 1994, and shall reflect Phase I rates. Phase III rates shall follow on December 1, 1994, as originally ordered. GTEFL shall notify its customers of the implementation both 60 and 30 days before the effective dates for Phase I and Phase III. It is further

ORDERED that Intermedia's Voluntary Dismissal of its protest in this Docket is hereby acknowledged. It is further

ORDERED that Docket No. 910967-TL and Docket No. 920335-TL are hereby closed.

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By ORDER of the Florida Public Service Commission this 31st  
day of August, 1993.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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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 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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.