

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Emergency petitions for authority to waive certain regulated interexchange and local exchange charges in the Hurricane Opal impact areas. ) DOCKET NO. 951197-TP  
) ORDER NO. PSC-95-1501-FOF-TP  
) ISSUED: December 5, 1995  
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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 SPRINT'S TARIFF TO WAIVE CERTAIN REGULATED INTEREXCHANGE CHARGES IN AREAS IMPACTED BY HURRICANE OPAL AND GRANTING SOUTHERN BELL'S MOTION TO EXTEND WAIVER OF REGULATED CHARGES

BY THE COMMISSION:

I. BACKGROUND

Hurricane Opal has caused severe damage in the Florida Panhandle. BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell), AT&T Communications of the Southern States, Inc. (ATT-C) and Sprint Communications Company Limited Partnership (Sprint) as well as other telecommunications companies, seek to render some relief to the victims in the areas where damage is severe. In order to accommodate emergency conditions and provide the needed relief, there may be the need for the Company to provide service in a manner not consistent with the normal Commission filing and review process for tariffs and rules. Because of the tremendous need for getting services in place, only the most basic requirements should be placed on temporary services being made available. By Order No. PSC-95-1306-FOF-TP, we implemented emergency abbreviated procedures enable telecommunications companies to put needed services in place as soon as possible. Pursuant to these procedures, services may be authorized by members of the Commission or specified members of the Commission's Staff subject to approval by the full Commission.

DOCUMENT NUMBER-DATE

12127 DEC-5 95

FPSC-RECORDS/REPORTING

II. SPRINT'S TARIFF TO WAIVE CERTAIN CHARGES

On October 17, 1995, Sprint filed a tariff to provide free emergency local and long distance service to persons impacted by Hurricane Opal. Specifically the Company will:

Provide free local and long distance service at its temporary public telephone locations. The long distance calls will be limited to five minutes in length. These emergency services will be provided through November 6, 1995.

Pursuant to Order No. PSC-95-1307-FOF-TP, Sprint was authorized to implement its proposed tariff on a temporary basis subject to approval by the Commission. We have recently approved similar filings by BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph and AT&T Communications of the Southern States, Inc. Like Sprint, both companies offered free service from its temporary pay stations for persons impacted by Hurricane Opal. Upon consideration, the tariff shall be approved consistent with the requirements set forth in Order No. 95-1307.

III. SOUTHERN BELL'S PETITION TO EXTEND WAIVER

On October 6, 1995, Southern Bell filed an Emergency Petition for Authority to Waive Regulated Charges. Southern Bell requested, among other things, that local calls from its mobile coin telephones in the Beach areas of Pensacola and Panama City be free of charge for an initial period of 30 days. By Order No. PSC-95-1306-FOF-TP, we approved the requested waiver. The waiver expires on November 10, 1995.

On October 24, 1995, Southern Bell filed a motion to extend its waiver of regulated charges. The Company proposes to continue to provide free local calling from its mobile coin stations in the Holly-Navarre area (939 and 936 NXXs) for an additional 30 days. In the Holly-Navarre area, the damages are more extensive and repair efforts are proceeding slowly. Upon consideration, we find it appropriate to grant the request for extension. Accordingly, the waiver is extended for 30 days. The waiver will expire on December 10, 1995.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Sprint Communications Company's tariff to provide free emergency local and long distance service at its temporary public telephone locations is approved as set forth in the body of this Order. It is further

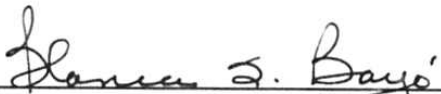
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ORDERED that, if a protest of the tariff is filed in accordance with the requirements set forth below, the tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest. It is further

ORDERED that BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company's Motion to Extend Waiver of Regulated Charges is approved as set forth in the body of this Order. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission, this 5th day of December, 1995.

  
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BLANCA S. BAYÓ, 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.

As identified in Section II of this order, our action 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

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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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 26, 1995. In the absence of such a petition, this order shall become effective on the date 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 our action in Section III of this order becomes final and effective 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 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.

Any party adversely affected by the Commission's final action in Section III of this Order 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 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 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.