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August 21, 1995

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Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
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ACT
Re: Petition for Waiver of Requirement Prohibiting Provision
of 0+ Local and 0+ IntraLATA Calls from Store and Forward
Pay Telephones Located in Confinement Facilities, by
InVision Telecom, Inc. - Docket No. 960407-TC

Dear Ms. Bayo:

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Enclosed please find the original and 15 copies of Quincy
Telephone Company's Petition on Proposed Agency Action in the above
captioned docket. Copies have been provided to parties of
record.

Sincerely,



David B. Erwin

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my to DBE:akh
cc: Tom McCabe

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for waiver)
of requirement prohibiting)
provision of O+ local and O+)
intraLATA calls from store and)
forward pay telephones located)
in confinement facilities, by)
InVision Telecom, Inc.)

DOCKET NO. 960407-TC

Filed: August 21, 1996

**PETITION ON PROPOSED
AGENCY ACTION**

Quincy Telephone Company (hereinafter Quincy), through its attorney, files this Petition on Proposed Agency Action (PAA) and states as follows:

1. Pursuant to Rule 25-22.036(7)(f), F.A.C., Quincy states that it received notice of the Commission's PAA Order orally, upon the vote of the Commission at its Agenda Conference on July 16, 1996, and in writing, by receipt in the U.S. Mail of Order No. PSC-96-1009-FOF-TC, on or about August 9, 1996.

2. The name and address of the Petitioner is as follows:

Quincy Telephone Company
107 W. Franklin Street
Quincy, FL 32353

3. If Order No. PSC-96-1009-FOF-TC becomes final, Quincy will suffer a loss of revenue. The customers of Quincy will not receive a corresponding benefit equivalent to the lost revenue, and they may have to pay increased rates to generate revenue to replace the amount lost. The amount will be lost because of the petition of InVision Telecom, Inc. (hereinafter InVision), for waiver of the Commission rules that protect LECs from the loss of O+ local and O+

intraLATA traffic and the granting of that waiver by the Commission.

4. Quincy believes that there are some disputed issues of material fact. The following are several such issues:

- a. Order No. PSC-96-1009-FOF-TC lists certain benefits that might result from rule waiver. One of the benefits listed is that InVision will charge no more than the serving LEC rate. Quincy disputes that this is a benefit that would accrue to the general body of Quincy rate-payers.
- b. Order No. PSC-96-1009-FOF-TC fails to recognize that Quincy may suffer significant revenue losses as a result of the Commission's action and fails to weigh this as a public interest factor.

5. A statement of the facts, statutes, rules and orders which entitle Quincy to relief follows:

Quincy is a small local exchange company, as defined by Section 364.052(1), Florida Statutes. Quincy has not elected price regulation and, therefore, remains under rate base, rate of return regulation. Section 364.052(2), Florida Statutes. Since Quincy has not elected price regulation, no ALEC may provide local

exchange service within the territory of Quincy.

InVision is a corporation that possesses a pay telephone certificate. InVision provides pay telephone service to a confinement facility in Quincy's territory. In its petition in this docket, InVision pointed to the statutory amendments opening local service to competition as one of the reasons why the Commission no longer needs to reserve 0+ intraLATA and 0+ local traffic for LECs. However, the Quincy territory has not been opened to competition by ALECs.

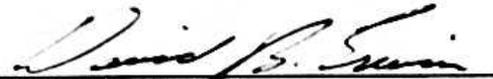
If the public interest is found by the Commission to be served by the InVision scheme, then the Commission must recognize the adverse financial impact on Quincy and implement, on its own motion, those provisions of law that the Legislature has designed to protect rate base, rate of return regulated companies. In a situation such as this, the Commission is obligated by Section 364.14(1)(b), Florida Statutes, to prescribe rates that take into consideration the revenue that will be lost to Quincy and prescribe rates that will thereafter allow a fair and reasonable return to Quincy.

6. Quincy, in consideration of the foregoing, and as required by Rule 25-22.036(7)(a)5, Florida Administrative Code, demands the following relief:

- a. That the Commission find that Quincy is a person whose substantial interests may be affected by the PAA Order in this docket;

- b. That the Commission deny the Petition for Rule Waiver filed in this docket by InVision, or, in the alternative;
- c. That the Commission establish the financial loss that a grant of the petition of InVision will cause Quincy to experience and prescribe rates in the Commission order disposing of the petition for waiver that will thereafter allow a fair and reasonable return to Quincy; and
- d. That the Commission will take any other action that will produce a fair result in this matter and prevent financial injury to Quincy or its general body of ratepayers.

Respectfully submitted,


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Varnadoe, P.A.
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Attorneys for Quincy Telephone
Company

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing Petition on Proposed Agency Action has been furnished by regular U.S. Mail or hand delivery, this 21st day of August, 1996, to the following:

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