

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Notice of election of
price regulation by Quincy
Telephone Company d/b/a TDS
Telecom/Quincy Telephone.

DOCKET NO. 001828-TL
ORDER NO. PSC-01-0598-PAA-TL
ISSUED: March 13, 2001

The following Commissioners participated in the disposition of
this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

NOTICE OF PROPOSED AGENCY ACTION ORDER
ACKNOWLEDGING ELECTION OF PRICE REGULATION

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Section 364.051, Florida Statutes, provides that local exchange companies may elect price regulation. When a company elects price regulation, certain rates are capped and the company is allowed to revise rates only in accordance with the statute. On December 28, 2000, Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone (Quincy) filed its notification of election to become subject to price regulation effective immediately and subject to the provisions of Section 364.051, Florida Statutes. The Commission is vested with jurisdiction over this matter pursuant to Section 364.051(1)(b), Florida Statutes.

With Quincy's election of price regulation effective December 28, 2000, its basic local telecommunications service rates are subject to Section 364.051(3), Florida Statutes. Furthermore, Quincy's network access rates should be capped until December 28, 2005, pursuant to 364.163(1), Florida Statutes.

DOCUMENT NUMBER-DATE

03180 MAR 13 2001

FPSC-RECORDS/REPORTING

Section 364.051(3), Florida Statutes states:

In the event that it is determined that the level of competition justifies the elimination of price caps in an exchange served by a local exchange telecommunications company with less than 3 million basic local telecommunications service access lines in service, or at the end of 5 years for any local exchange telecommunications company, the local exchange telecommunications company may thereafter on 30 days' notice adjust its basic service prices once in any 12-month period in an amount not to exceed the change in inflation less 1 percent. Inflation shall be measured by the changes in the Gross Domestic Product Fixed 1987 Weights Price Index or successor fixed weight price index, published in the Survey of Current Business or a publication, by the United States Department of Commerce. In the event any local exchange telecommunications company, after January 1, 2001, believes that the level of competition justifies the elimination of any form of price regulation, the company may petition the Legislature.

Further, Section 364.163(1), Florida Statutes, states in pertinent part that "[u]pon the date of filing its election with the Commission, the network access rates of a company that elects to become subject to this section shall be capped at the rate in effect on that date, and shall remain capped for 5 years."

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone's election of price regulation effective December 28, 2000, is acknowledged. It is further

ORDERED that Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone's basic local telecommunications service rates are

ORDER NO. PSC-01-0598-PAA-TL
DOCKET NO. 001828-TL
PAGE 3

subject to Section 364.051(3), Florida Statutes. Network access rates shall be capped at the rates in effect December 28, 2000, and are capped until December 28, 2005, pursuant to 364.163(1), Florida Statutes.

ORDERED that if no person whose substantial interests are affected files a protest within 21 days of the issuance of this Order, the docket shall be closed.

By ORDER of the Florida Public Service Commission this 13th Day of March, 2001.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L) .

WDK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, 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 will be granted or result in the relief sought.

ORDER NO. PSC-01-0598-PAA-TL
DOCKET NO. 001828-TL
PAGE 4

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, 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 April 3, 2001.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

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.