

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request by Citizens of Orange)	DOCKET NO. 881546-TL
Springs for Extended Area Service to)	ORDER NO. 21023
the Gainesville Exchange.)	ISSUED: 4-11-89

The following Commissioners participated in the disposition of this matter:

- MICHAEL MCK. WILSON, CHAIRMAN
- THOMAS M. BEARD
- BETTY EASLEY
- JOHN T. HERNDON
- GERALD L. (JERRY) GUNTER

NOTICE OF PROPOSED AGENCY ACTION

ORDER DENYING EXTENDED AREA SERVICE

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 formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

On November 30, 1988, citizens of Orange Springs, Florida filed a petition requesting extended area service (EAS) between the Orange Springs exchange in Marion County, including a small portion located in Putnam County, and the Gainesville exchange, located in Alachua County. The Orange Springs exchange is served by ALLTEL Florida, Inc. (ALLTEL), while Southern Bell Telephone and Telegraph Company (Southern Bell) serves the Gainesville exchange. In Order No. 20520, issued December 23, 1988, we ordered each company to perform traffic studies. The traffic studies were filed on February 21, 1989, by ALLTEL, and on February 20, 1989, by Southern Bell.

Rule 25-4.060(2)(a), Florida Administrative Code, requires a showing that calls from Orange Springs to the Gainesville exchange, at a minimum, total 3 messages per main station per month (m/m/m) with 50% of the customers making two or more calls in order to exhibit a community of interest for EAS that is worthy of further investigation. Neither the Orange Springs to Gainesville route nor the reverse route qualifies for further EAS consideration. The Orange Springs to Gainesville traffic studies show the calling rate is 1.65 M/M/M with 19.16% making two or more calls on this route. The calling rate from Gainesville to Orange Springs is .02 M/M/M with .003% making two or more calls. These figures are clearly below Commission requirements for EAS or other toll alternative plans at this time. Toll-Pac has generally been ordered on routes where the calling rates were 2.25 M/M/M with 35% of the customers making 2 or more calls. The Southern Bell Optional EAS plan has been ordered on routes where the M/M/M have been 5.0 or higher. Pursuant to Rule 25-4.060(3), we find that the Request filed herein does not meet the requirements for further investigation.

Based upon the above, it is

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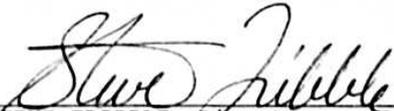
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ORDERED by the Florida Public Service Commission that the Request filed by the citizens of Orange Springs requesting extended area service between the Orange Springs exchange and the Gainesville exchange is hereby denied. It is further

ORDERED that this Order will become final on May 3, 1989, if there is no protest to the proposed agency action within the time frame set forth below.

By ORDER of the Florida Public Service Commission, this 11th day of April, 1989.


STEVE TRIBBLE, Director
Division of Records and Reporting

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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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on May 2, 1989. In the absence of such a petition, this order shall become effective on May 3, 1989 as provided by Rule 25-22.029(6), Florida Administrative Code, and as reflected in a subsequent 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.

If this order becomes final and effective on May 3, 1989, 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 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 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.