

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of GTE FLORIDA	)	DOCKET NO. 891199-TL
INCORPORATED requesting a reduction	)	
to the busy minute of capacity (BHMOC)	)	ORDER NO. 22420
rate element, a reduction to cellular	)	
rates, implementation of time of day	)	ISSUED: 1-16-90
discounts and accompanying adjustments	)	
to EAEA compensation	)	

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman  
 THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 JOHN T. HERNDON

ORDER SUSPENDING TARIFFS

BY THE COMMISSION:

On October 16, 1989, GTE Florida, Inc. (GTEFL) filed a petition to reduce certain of its switched access charge rates and to make corresponding adjustments to other rates. The purpose of the petition is to dispose of its tax savings resulting from the Tax Reform Act of 1986 for the period 1990 and beyond. GTEFL proposes the following specific changes:

- 1) Reduce its BHMOC rate from \$4.95 to \$3.30;
- 2) Implement time-of-day discounts on terminating Feature Group D switched access;
- 3) Reduce its cellular interconnection rate from \$.0392 to \$.0382 (See Order No. 20475); and
- 4) Increase its intraEAEA compensation rate to reflect the change in the difference between MTS rates and the reduced access charges (See Order No. 20484).

GTEFL estimates the net revenue reduction from its proposed rate changes to be \$17,200,000. The Company asks that this amount be considered as the appropriate offset to any tax savings resulting from the Tax Reform Act of 1986 for the period 1990 and beyond. GTEFL also requested that these rate changes become effective January 1, 1990.

DOCUMENT NUMBER-DATE

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In addition to the petition, GTEFL filed a proposed tariff to implement its requested cellular interconnection reductions and Southern Bell filed revisions to the industry access tariff, on behalf of GTEFL, to reduce GTEFL's BHMOC rate, implement time-of-day rates on Feature Group D terminating traffic and increase GTEFL's intraEAEA compensation rate.

In Dockets Nos. 890216-TL and 870171-TL (Tax Dockets) we issued a Proposed Agency Action (PAA) permanently reducing certain rates to dispose of the Company's tax savings for 1990 and beyond. See Order No. 22322. We note that the protest period has not yet elapsed. In addition, the dollar amount of any further tax savings resulting from pending issues in the Tax Dockets are yet to be determined.

In addition, as a result of our hearings held in Docket No. 880812-TP (TMA Docket), we will address the issue of whether it is appropriate to implement our prior decision to impose time-of-day discounts on terminating access charges. That decision is scheduled for a Special Agenda on March 14-15, 1990.

Since GTE has requested that its proposed rate reductions be tied to 1990 tax savings, it would not be appropriate to render a decision on its petition or approve the tariff filings in this docket before decisions in the Tax Dockets are final. Therefore, we find it appropriate that the tariffs filed by GTE Florida and by Southern Bell on behalf of GTE Florida in this docket be suspended pending our final determination in the Tax Dockets.

At our Agenda Conference on December 19, 1989, GTEFL asked that we consolidate this Docket with the Tax Dockets. GTEFL's request to consolidate is granted. This docket shall remain open pending our decisions in Dockets Nos. 890216-TL and 870171-TL.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that GTE Florida, Inc.'s and Southern Bell Telephone and Telegraph Company's respective tariff filings to implement the rate reductions proposed in GTEFL's Petition in this Docket are suspended as set forth in the body of this Order. It is further

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ORDERED that this docket is consolidated with Dockets Nos. 890216-TL and 870171-TL 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 16th day of JANUARY, 1990.

  
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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

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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.