

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing to ) DOCKET NO. 910054-TL  
establish rates and charges for Land- )  
Link Service by UNITED TELEPHONE COMPANY) ORDER NO. 24122  
OF FLORIDA )  
ISSUED: 2/18/91

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
BETTY EASLEY  
FRANK S. MESSERSMITH  
MICHAEL MCK. WILSON

ORDER DENYING TARIFF FILING

BY THE COMMISSION:

LandLink is an asynchronous data service that allows a data circuit to be added to a customer's existing voice grade telephone line without interfering with voice communications. LandLink utilizes data over voice (DOV) technology to provide customers with 300 bps to 19.2 kbs switched data capability. This technology is provisioned from the company's DMS 100 switches using Northern Telecom Inc.'s DIALAN software and allows for voice and data communications to be transmitted simultaneously over the customer's access line into the public switched network. The Company asserts that this service should be attractive to residential customers as well as large business users. LandLink offers applications possibilities to subscribers from simple dial-up service to the creation of local area networks configured in a central office specific user group.

In order to provide the DOV capability of LandLink, an Integrated Voice/Data Module (IDVM) must be located at the customer's premises. The IDVM combines the voice and data circuits for transport on the customer's existing access line back to the central office. The customer is responsible for the provisioning of the IDVM. United asserts that this equipment can be provided by United's Business Service Division for a purchase price of \$365, or for a lease price of \$15 a month. United asserts that this equipment is also available through retailers.

Modem pooling is a feature available with LandLink. Using this feature, customers will be able to utilize modems to convert data from analog to digital or vice versa. Modem pooling will be provided as a one-way in, one-way out or as a two-way service. The proposed rates and charges are as follows:

DOCUMENT NUMBER-DATE

01528 FEB 18 1991

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	Nonrecurring	Monthly
	Rate	Rate
One-way in	\$20.00	\$5.40
One-way out	\$20.00	\$5.40
Two-way	\$20.00	\$9.50

These proposed rates are the same as those already approved by this Commission for modem pooling in United's SwitchLink tariff (Docket No. 890814-TL). The proposed usage charges of \$0.06 for the first minute and \$0.02 for each additional minute, with a 50% off peak discount also, are the same as those already approved within the SwitchLink tariff. These usage charges only apply when a data call is placed within the local toll-free calling area of the serving wire center and are not applicable to calls placed over the voice circuit. Calls placed over the long distance network will be billed at the appropriate long distance rate.

The Company's projected gross annual revenues for LandLink service with two-way modem pooling are \$17,328 in recurring revenues and \$4,955 in nonrecurring revenues.

The costs for the various rate elements proposed in the tariff were developed using a long run incremental costing methodology. We have reviewed the costs and associated contribution amounts of the rate elements and find that this service will provide an adequate level of contribution to the shared costs of the Company. The proposed recurring monthly rate is \$15 with a nonrecurring charge of \$25.

United also proposes banded rates for LandLink with an upper and lower band of \$14 and \$18, respectively. In support of its banded rate proposal, the Company argues that LandLink is in direct competition with customers who currently use modems over their access lines and those with a second access line for data purposes or a private line. However, it does not appear that LandLink is a competitive service since the Company's biggest competitor is itself.

We find that LandLink is a service that is beneficial to both the end user and the Company. Customers will be able to utilize a

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high quality switched data circuit over their existing access line at a comparably reasonable price. The Company will gain from more efficient use of its public switched network while gaining revenues for an attractive alternative to costly dedicated facilities. However, the lack of effective competition makes banded rates inappropriate for this service; therefore, we must deny the tariff as filed. If the Company refiles its Tariff consistent with its current filing for this service but without banded rates, with a recurring monthly rate of \$15, we will approve the filing administratively.

Based upon the foregoing, it is

ORDERED by the Florida Public Service Commission that United Telephone Company of Florida's Tariff for LandLink with banded rates is hereby denied as filed. It is further,

ORDERED that with the timely filing by the Company of appropriate tariff pages to reflect the Commission's decision herein, the LandLink tariff will become effective on February 15, 1991. If a protest is filed, the tariff shall remain in effect with any increase held subject to refund pending resolution of the protest. If no timely protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 18th  
day of FEBRUARY, 1991.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

CWM

by: Kay Flynn  
Chief, Bureau of Records

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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 Commission's decision 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 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 at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on March 11, 1991.

In the absence of such a petition, this Order shall become final on the day subsequent to the above date.

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 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 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 date this Order becomes final, 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.