

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for extended area) DOCKET NO. 911184-TL
service between the Seagrove) ORDER NO. PSC-92-0726-FOF-TL
Beach, Panama City, and Panama) ISSUED: 07/28/92
City Beach exchanges by Walton)
County Commission.)
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER DENYING REQUEST FOR 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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

This docket was initiated pursuant to Resolution No. 91-33 filed with this Commission by the Walton County Board of County Commissioners. The resolution requested that we consider requiring implementation of extended area service (EAS) between the Seagrove Beach exchange and the Panama City and Panama City Beach exchanges. We added the Lynn Haven exchange to the request in order to avoid "leapfrogging." The Seagrove Beach exchange is served by Central Telephone Company of Florida (Centel), while the Panama City, Panama City Beach, and Lynn Haven exchanges are served by BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell). Both of these companies are subject to regulation by this Commission pursuant to Chapter 364, Florida Statutes.

DOCUMENT NUMBER-DATE

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Each of the involved exchanges currently has EAS as follows:

<u>EXCHANGE</u>	<u>ACCESS LINES</u> <u>EAS LINES</u>	<u>EAS CALLING SCOPE</u>
Seagrove Beach	2,529 4,823	Santa Rosa Beach, (DeFuniak Springs, Destin, Ft. Walton Beach, Freeport, Glendale, Ponce de Leon-all on \$.20 message rate plan)
Panama City	40,501 71,240	Lynn Haven, Panama City Beach, Tyndall Air Force Base, Youngstown-Fountain
Panama City Beach	18,529 67,442	Lynn Haven, Panama City
Lynn Haven	8,412 69,587	Panama City, Panama City Beach, Youngstown-Fountain

By Order No. 25620, issued January 21, 1992, we directed Centel and Southern Bell to perform traffic studies on the affected routes to determine whether a sufficient community of interest exists, pursuant to Rule 25-4.060, Florida Administrative Code. In addition to involving intercompany routes, this request also involves interLATA (local access transport area) routes. The Seagrove Beach exchange is located in the Pensacola LATA, while the Panama City, Panama City Beach, and Lynn Haven exchanges are located in the Panama City LATA. The companies were to prepare and submit the traffic studies to us within sixty (60) days of the issuance date of Order No. 25620, making the studies due by March 23, 1992.

On March 18, 1992, Centel filed a Motion for Extension of Time requesting an extension through and including April 10, 1992, in which to prepare and submit the required traffic studies. On March 19, 1992, Southern Bell filed a Motion for Extension of Time requesting an extension through and including April 20, 1992, in which to prepare and submit the required traffic studies. By Order No. PSC-92-0100-PCO-TL, issued March 24, 1992, we granted both of these requests.

Subsequently, both companies filed the requested traffic study data, along with Requests for Specified Confidential Classification of certain portions of the traffic study data. Southern Bell made its filing on April 20, 1992, as amended on April 28, 1992, and Centel made its filing on April 10, 1992, and April 29, 1992. Each of the companies requested specified confidential treatment of only that data which represented a quantification of traffic along either interLATA or intraLATA routes. By Order No. PSC-92-0693-CFO-TL, issued July 22, 1992, we granted both of these requests.

The actual results of the traffic studies for the routes under consideration in this docket were granted confidential treatment by the Order cited above. We can report, however, that none of the routes under consideration met the threshold of Rule 25-4.060. That Rule requires a two-way calling rate of two (2) M/M/Ms or higher, with at least fifty percent (50%) of the exchange subscribers making one (1) or more calls per month. Alternately, a one-way calling rate of three (3) M/M/Ms or higher, with at least fifty percent (50%) of the exchange subscribers making two (2) or more calls per month is sufficient, if the petitioning exchange is less than half the size of the exchange to which EAS is sought. Since none of the routes exhibited calling rates that met these levels, we shall deny any further consideration of EAS along the above routes. In addition, the calling rates for the exchanges at issue do not exhibit a sufficient community of interest to warrant consideration of an alternative toll plan. The traffic studies show very low calling rates with only a small percentage of customers making calls. Accordingly, we intend to deny Resolution No. 91-33.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Resolution No. 91-33 filed with this Commission by the Walton County Board of County Commissioners is hereby denied for the reasons set forth herein. It is further

ORDERED that our proposed action shall become final and this docket shall be closed following expiration of the protest period specified below, if no proper protest to our proposed agency action is filed in accordance with the requirements set forth below.

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By ORDER of the Florida Public Service Commission this 28th
day of July, 1992.


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.

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 August 18, 1992.

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In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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 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 wastewater 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.