

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for permanent) DOCKET NO. 930058-TL
waiver of Demand and Facility) ORDER NO. PSC-93-0450-FOF-TL
chart required by Rule 25-) ISSUED: 03/24/93
4.0185, F.A.C., by GTE FLORIDA)
INCORPORATED.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING TEMPORARY WAIVER OF
RULE 25-4.0185(1)(a), FLORIDA ADMINISTRATIVE CODE

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.

GTE Florida Incorporated (GTEFL or the Company) has filed a Request for Permanent Waiver of Rule 25-4.0185 (1)(a), Florida Administrative Code. The Rule provides for information required by Form PSC/CMU 28, Schedule 21, to be filed each year on or before January 31. Schedule 21 dictates that certain demand and facility (D&F) data to be filed in a chart format, in this case, a line graph.

GTEFL asserts its D&F information is no longer prepared in chart format since the Company implemented its new Capital Program Management System (CPMS) in 1989. However, CPMS provides the same monthly historical and projected line capacity information in a report format. The CPMS report format is used to analyze a switching office's equipped line capacity versus actual and forecasted customer demand. Because GTEFL no longer maintains this information in a chart format in its normal course of business, and instead uses the CPMS reports as its only tool in planning future facility requirements, the Company requests a waiver of the Rule in order to use the CPMS format in all future filings before the Commission.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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 April 14, 1993.

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.