

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for waiver of) DOCKET NO. 930806-TL
Rule 25-4.0345(2)(b), Florida) ORDER NO. PSC-93-1365-FOF-TL
Administrative Code, regarding) ISSUED: September 20, 1993
auditor's opinion on provision)
and maintenance of customer)
premises equipment and inside)
wire by SOUTHLAND TELEPHONE)
COMPANY)
_____)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER DENYING REQUEST FOR RULE WAIVER

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.

On July 27, 1993, Southland Telephone Company (Southland or the Company) requested a waiver of Rule 25-4.0345(2)(b), Florida Administrative Code (the Rule), for the year ended December 31, 1992. The Rule provides that:

Companies using accounting allocation procedures in lieu of a fully separate subsidiary for the provision and maintenance of CPE and inside wire shall submit annual audit results and a formal opinion, rendered by an independent certified public accountant or auditor, on the reasonableness and accuracy of the allocation procedures employed.

Southland states that the workpaper documentation of the independent certified public accountant for the 1992 annual audit is not sufficient to render a separate opinion on the provision and maintenance of customer premises equipment (CPE) and inside wire

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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 October 11, 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.