

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution by the MARION) DOCKET NO. 930236-TL
COUNTY COMMISSION for countywide) ORDER NO. PSC-93-1586-FOF-TL
extended area service (EAS)) ISSUED: November 1, 1993
within Marion County.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER REQUIRING SURVEY OF CUSTOMERS FOR
IMPLEMENTATION OF 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.

BACKGROUND

This docket was initiated pursuant to Resolution No. 93-R-20, filed by the Board of County Commissioners of Marion County. The Resolution requested that we consider requiring implementation of extended area service (EAS) between all exchanges in Marion County. Marion County contains the following exchanges or portions of exchanges: Belleview, Citra, Dunnellon, Forest, Lady Lake, McIntosh, Micanopy, Ocala, Oklawaha, Orange Springs, Salt Springs, Silver Springs Shores, Umatilla, and Williston. The Citra, McIntosh, and Orange Springs exchanges are served by ALLTEL Florida, Inc. (ALLTEL); the Dunnellon and Micanopy exchanges are served by BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell); and the remaining exchanges are served by United Telephone Company of Florida (United).

By Order No. PSC-93-0512-PCO-TL, issued April 5, 1993, we directed ALLTEL, Southern Bell, and United to perform traffic

DOCUMENT NUMBER-DATE

11745 NOV-18

studies between these exchanges to determine whether a sufficient community of interest exists, pursuant to Rule 25-4.060, Florida Administrative Code. By Order No. PSC-93-1087-PCO-TL, issued July 27, 1993, we granted Southern Bell and United extensions of time to complete and file the required traffic study data. Then, by Order No. PSC-93-1389-CFO-TL, issued September 23, 1993, we granted Southern Bell's request for specified confidential treatment of certain portions of its traffic study data.

DISCUSSION

By Order No. PSC-93-0512-PCO-TL, we directed the companies to conduct traffic studies on the exchanges affected by the Resolution to determine if a sufficient community of interest exists, pursuant to Rule 25-4.060. For these studies, we requested that the companies measure the messages per access line per month (M/A/M) and percentage of subscribers making one and two or more calls monthly to the exchanges for which EAS was proposed.

Rule 25-4.060(2) requires a two-way calling rate of two M/A/Ms or higher, with at least fifty percent of the exchange subscribers making one or more calls per month. Alternately, a one-way calling rate of three M/A/Ms or higher, with at least fifty percent of the exchange subscribers making two or more calls per month is sufficient, if the petitioning exchange contains less than half the number of access lines as the exchange to which EAS is sought. Only the Williston to Ocala route meets the Rule requirements. Since none of the other routes exhibited calling rates that met these levels, we shall deny any further consideration of nonoptional, flat rate, two-way EAS along all of the other routes.

Accordingly, we find it appropriate to require United to survey its Williston subscribers for nonoptional, flat rate, two-way, toll free calling between Williston and Ocala under the 25/25 plan with regrouping. The rates at which the Williston customers shall be surveyed are as follows:

<u>CUSTOMER CLASS</u>	<u>CURRENT RATE</u>	<u>25/25 ADDITIVE</u>	<u>REGROUPING ADDITIVE</u>	<u>NEW RATE</u>
R-1	\$ 6.47	\$ 2.00	\$ 1.51	\$ 9.98
B-1	15.20	4.68	3.51	23.39
PBX	30.40	9.37	7.07	46.84

Under this calling plan, the Williston and Ocala exchanges would receive toll free calling to and from each other. In addition, the McIntosh exchange lies between Williston and Ocala. We have generally not allowed "leapfrogging" of exchanges when granting EAS. Customers in the McIntosh exchange already have EAS to Ocala. Therefore, calling to and from the McIntosh exchange shall be included in the survey of Williston subscribers for EAS to Ocala. Rates for the Ocala and McIntosh exchanges would not increase; therefore, the Ocala and McIntosh subscribers are not included in the survey.

Rates for the 25/25 plan with regrouping are derived by developing two additives. The 25/25 additive is twenty-five percent of the rate group schedule for the number of access lines to be added to the exchange's calling scope. The regrouping additive is the difference in rates between the exchange's original rate group and the new rate group into which the exchange will fall with its expanded calling scope.

The subscribers in the Williston exchange shall be surveyed by United within forty-five days of the date this Order becomes final. Prior to conducting the survey, United shall submit its explanatory survey letter, ballot, and proposed newspaper advertisement to our staff for approval. In addition, United shall provide our staff with a copy of the published newspaper advertisement, along with the dates run.

If the survey of the Williston customers passes, United shall then implement toll free calling between Williston and Ocala and between Williston and McIntosh within twelve months of the issuance date of our order on survey approval. The survey shall be conducted in accordance with Rule 25-4.063, Florida Administrative Code. The Optional Extended Local Calling (OELC) plan on the Williston/Ocala and Ocala/Williston routes shall be discontinued simultaneously with the implementation of EAS. Finally, the 25/25 additive shall remain in place for two years after implementation, or until United's next earnings review, whichever is later.

In addition, we do not believe that the calling rates on the other routes display a sufficient level of calling to warrant consideration of an alternative toll relief plan. In some cases, we have required implementation of the \$.25 message rate plan on routes that did not meet the calling volume and/or distribution requirements for flat rate EAS, but did exhibit a substantial showing of calling interest. Typically, these cases have calling

rates that are close to meeting our requirements, but have failed on either the distribution or volume level by only a small degree. With the exception of Micanopy/Ocala route, which met the volume requirement, but fell short on distribution by a substantial amount, the remaining routes were not even close to meeting our requirements. Accordingly, we find it appropriate to deny any further consideration of alternative forms of toll relief on the remaining routes in this docket.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Resolution No. 93-R-20 filed with this Commission by the Marion County Board of County Commissioners is hereby granted to the extent outlined herein. It is further

ORDERED that if no proper protest is filed within the time frame set forth below, United Telephone Company of Florida shall, within forty-five days of the date this Order becomes final, survey its subscribers in the Williston exchange for implementation of a flat rate, two-way, nonoptional extended area service plan that complies with the terms and conditions set forth herein. It is further

ORDERED that if the survey passes, the flat rate, two-way, nonoptional extended area service plan described herein shall be implemented on the Williston to McIntosh and Ocala (and reverse) routes by United Telephone Company of Florida within twelve months of the issuance date of our order on survey approval. It is further

ORDERED that United Telephone Company of Florida shall submit its survey letter, ballot, and proposed newspaper advertisement to our staff for approval prior to their distribution. It is further

ORDERED that United Telephone Company of Florida shall submit certain follow-up information to our staff, following publication of the required newspaper advertisement. It is further

ORDERED that if no proper protest to this proposed agency action is filed within the time frame set forth below, the actions discussed in the body of this Order shall become final and effective. It is further

ORDERED that this docket shall remain open.

ORDER NO. PSC-93-1586-FOF-TL
DOCKET NO. 930236-TL
PAGE 5

By ORDER of the Florida Public Service Commission this 1st day of November, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ABG

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 November 22, 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

ORDER NO. PSC-93-1586-FOF-TL
DOCKET NO. 930236-TL
PAGE 6

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.