

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution by the Baker) DOCKET NO. 930040-TL
County Commission requesting) ORDER NO. PSC-93-1700-FOF-TL
extended area service between) ISSUED: November 24, 1993
the Lake City Exchange and the)
Sanderson, Macclenny, Baldwin,)
and Jacksonville exchanges.)
_____)

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 REGARDING EXTENDED AREA SERVICE

BY THE COMMISSION:

This docket was initiated pursuant to Baker County Commission Resolution No. 92-24 and a petition signed by the subscribers in the Baker County pocket of the Lake City exchange, both of which were filed with this Commission by the Baker County Board of Commissioners. The Baker County Commission requested extended area service (EAS) from the Baker County portion of the Lake City exchange to the rest of Baker County (Macclenny and Sanderson exchanges) and also requested the \$.25 plan from the Lake City (Baker County) pocket to the Jacksonville exchange. The Baldwin exchange is addressed to avoid "leapfrogging."

The petition requested toll relief from the Baker County portion of the Lake City exchange to the rest of Baker County. Baker County has 159 access lines located in the Lake City exchange pocket. Southern Bell serves the Lake City, Baldwin and Jacksonville exchanges; and Northeast Telephone provides local service to the Macclenny and Sanderson exchanges. All of these exchanges are located within the Jacksonville LATA.

By Order No. PSC-93-0155-PCO-TL, issued February 2, 1993, we required Southern Bell and Northeast Telephone to conduct traffic studies on these routes. Rule 25-4.060(2), F.A.C. requires a calling rate of at least three M/A/M's (Messages per Access Line per Month) in cases where the petitioning exchange contains less than half the number of access lines as the exchange to which EAS

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is desired. This rule further requires that at least 50% of the subscribers in the petitioning exchange make two or more calls per month to the larger exchange to qualify for traditional EAS. Based on the results of the traffic studies, none of the routes at issue met these requirements.

Because city and county boundary lines often differ from exchange boundaries, consumers within one county are sometimes provided telephone service from an exchange in another county. This creates pocket communities which are always problematic when EAS is considered. Generally, when reviewing countywide EAS requests, the calling volumes from an exchange which includes a pocket will not meet our EAS requirements because the exchange as a whole is located in another county. Unless separate traffic studies are conducted on the pocket area, there will be no indication of a community of interest. We are currently reviewing problems involving EAS, including pockets. Once we have developed an appropriate resolution to the pocket situation, we will consider the Lake City (Baker County pocket)/Macclenny route which will include the Lake City (Baker County)/Sanderson route in order to avoid "leapfrogging."

The Sanderson/Lake City route was not considered for an alternative toll plan at this time, even though it meets the criteria, because we have only been asked to consider countywide calling within Baker County and the calling rate from Sanderson to the Lake City (Baker County pocket) did not demonstrate a significant community of interest. The calling rates and distribution on the remaining routes do not exhibit a sufficient community of interest to warrant any form of alternative toll relief.

Therefore, it is

ORDERED by the Florida Public Service Commission that none of the toll routes considered in this docket qualify for non-optional, flat rate, two-way toll free calling as set forth in the body of this Order. It is further

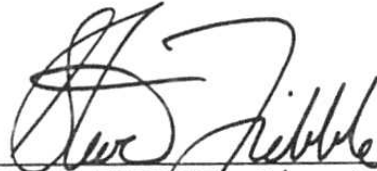
ORDERED that the Lake City (Baker County) / Macclenny and Lake City (Baker County) / Sanderson route (due to leapfrogging) will be considered when our generic EAS investigation is completed. It is further

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ORDERED that no alternative plan shall be offered on the toll routes considered in this docket. It is further

ORDERED that this docket shall be closed at the conclusion of the PAA period, if no timely protest is filed.

By ORDER of the Florida Public Service Commission this 24th day of November, 1993.



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 December 15, 1993.

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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.