

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 931059-TL
tariff filing to eliminate the) ORDER NO. PSC-93-1847-FOF-TL
nonrecurring charge for blocking) ISSUED: December 29, 1993
900 and 976 service to comply)
with Rule 25-4.110(10)(c),)
F.A.C. by Indiantown Telephone)
System, Inc. (T-93-604))
_____)

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING TARIFF REVISIONS

BY THE COMMISSION:

Pursuant to Rule 25-4.110(10)(c), Florida Administrative Code, there shall be no charge for the blocking of 900 or 976 service. The current tariff of Indiantown Telephone System, Inc. (Indiantown) includes a \$10.00 nonrecurring charge for blocking 900 and 976 services. This tariff erroneously went into effect subsequent to the adoption of Rule 25-4.110(10)(c), Florida Administrative Code. Accordingly, on October 21, 1993, Indiantown filed proposed tariffs to eliminate the charge for blocking 900 and 976 service.

Only six customers have been billed for blocking 900 and 976 service, one in November, 1991, and five in December, 1991. No customers have been billed for blocking 900 or 976 service since December, 1991. Indiantown has agreed to refund the \$10.00 charge, plus interest, to the six customers as a credit on their next bills. The credit will include interest computed at 10% for two years, for a total of \$12.10 per customer.

Although Indiantown's tariff was contrary to Rule 25-4.110(10)(c), Florida Administrative Code, in practice it has been following that rule since December 1991. Further, since Indiantown only collected the charge from six customers and plans to refund the charge to those customers with interest, we do not believe that it is necessary to order Indiantown why it should not be fined for a violation of Rule 25-4.110(10)(c), Florida Administrative Code.

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Upon consideration, since its proposed tariff revisions will bring Indiantown into compliance with Rule 25-4.110(10)(c), Florida Administrative Code, they are approved, with an effective date of December 20, 1993.

It is, therefore,

ORDERED by the Florida Public Service Commission that the proposed tariff revision to eliminate charges for blocking 900 and 976 service, filed by Indiantown Telephone System, Inc. is approved, with an effective date of December 20, 1993. It is further

ORDERED that, unless a person whose interests are substantially affected by the tariff approved herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, this Order shall become final and this docket shall be closed on the following date. It is further

ORDERED that, if a person whose interests are substantially affected by the tariff approved herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, the tariff shall remain in effect pending the resolution of the petition.

By ORDER of the Florida Public Service Commission, this 29th day of December, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

RJP

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 Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), 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 January 19, 1994.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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 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 date this Order becomes final, 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.