

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Approval of) DOCKET NO. 931156-TL
Tariff Filing to Reduce the Busy) ORDER NO. PSC-94-0095-FOF-TL
Hour Minute of Capacity Charge) ISSUED: 1/27/94
by GTE Florida Incorporated (T-)
93-682))
_____)

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING TARIFF TO REDUCE
BUSY HOUR MINUTE OF CAPACITY CHARGE

BY THE COMMISSION:

On November 22, 1993, GTE Florida Incorporated (GTEFL or the Company) filed proposed revisions to its general and access service tariffs. GTEFL proposes to reduce its Busy Hour Minute of Capacity (BHMO) and related cellular interconnection access charges from \$1.58 to \$0.65 to offset anticipated revenue increases, as discussed below.

Anticipated Revenue Increases

By Order No. PSC-92-0401-FOF-TL, issued May 5, 1992, in Docket No. 910967-TL, this Commission approved a proposed tariff by GTEFL to restructure and reprice local intraexchange private line services, effective August 1, 1992. By Order No. PSC-92-0738-FOF-TL, issued July 29, 1992, we delayed implementation of the restructure until December 1, 1992, due to concerns about the impact of the rate increases on the alarm industry. Phase II rates for all local private line services except alarm circuits became effective on December 1, 1993. GTEFL estimates an annual revenue increase of \$2,739,811 as a result of the implementation of Phase II rates. Phase III rates for all local private line services except alarm circuits are scheduled to be implemented on December 1, 1994.

Pursuant to Order No. PSC-93-1265-FOF-TL, issued August 31, 1993, Phase I rates for private line alarm circuits are scheduled to be implemented on June 1, 1994. GTEFL estimates an annual

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revenue increase of \$307,565 as a result of implementing the Phase I rates.

By Order No. 24101, issued February 14, 1991, as modified by Order No. 25312, issued November 12, 1991, this Commission approved a set use charge, which is to be paid to local exchange carriers (LECs) by non-LEC pay telephone providers for 0+ and 0- local calls, effective March 1, 1994. GTEFL estimates an annual revenue increase of \$1,567,169 as a result of the implementation.

In Docket No. 931157-TL, a companion to the instant docket, GTEFL proposes to remove the \$67.00 originating usage cap for its foreign exchange (FX) service on February 10, 1994. GTEFL does not propose to remove the \$58.00 terminating usage charge because some areas of its territory do not have the measurement and/or the billing capability for terminating traffic. GTEFL estimates an annual revenue increase of \$791,198 as a result of the removal of the FX originating usage cap.

Reduction to BHMOC Charge

Upon consideration, we believe that a reduction in GTEFL's BHMOC and related cellular interconnection access charges is appropriate to offset the anticipated revenue increases. We note that we have previously offset revenue gains with reductions to the BHMOC and that this Commission is moving toward the elimination of the BHMOC for all LECs. In that regard, we further note that GTEFL is scheduled to file a tariff to eliminate its BHMOC as an offset to the expected revenue increases from the implementation of Phase III rates for Local Private Line in December, 1994.

It is, therefore,

ORDERED by the Florida Public Service Commission that GTE Florida Incorporated's proposed tariff to reduce the Busy Hour Minute of Capacity and related cellular interconnection access charges is approved, with an effective date of January 19, 1994. 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.

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By ORDER of the Florida Public Service Commission, this 27th
day of January, 1994.

STEVE TRIBBLE, Director
Division of Records and Reporting

by: Kay J. Lynn
Chief, Bureau of Records

(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 February 17, 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

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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.