

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request by Volusia ) DOCKET NO. 930035-TL  
County Council to move the Lake ) ORDER NO. PSC-94-0184-FOF-TL  
Ashby Community from the Sanford ) ISSUED: February 14, 1994  
Exchange into the New Smyrna )  
Beach Exchange. )  
\_\_\_\_\_ )

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 GRANTING EXTENSION OF TIME

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 substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On December 2, 1992, Volusia County filed a request to survey the Lake Ashby area to determine whether the community was in favor of being moved from the Sanford exchange to the New Smyrna Beach exchange. By Order No. PSC-93-1701-FOF-TL, issued November 24, 1993, we required Southern Bell to ballot the Lake Ashby customers to determine if they are in favor of the boundry change with an additive of \$3.38 per month for a period of ten years. The survey was to be conducted by January 14, 1994.

Southern Bell was directed to provide Volusia County with a list of the Lake Ashby customers, telephone numbers and addresses. This list, which was requested by the Lake Ashby participants in this docket, was to aid in contacting the remaining Lake Ashby subscribers to inform them of the survey. The list was received on January 7, 1994. Under the circumstances, Volusia County believes that there is not enough time to contact all of the subscribers involved.

On January 10, 1994, Volusia County asked Southern Bell to extend the mail out date for the ballots until February 1, 1994. On January 13, 1994, Southern Bell filed its Motion for Extension

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Of Time to conduct the survey. The Company states that it does not object to the request of Volusia County to delay the mailing of the ballots until February 1, 1994, and that this brief delay will not prejudice any party to this proceeding.

Because Volusia County and Southern Bell are both in favor of delaying the Lake Ashby Survey, we shall grant Southern Bell's Motion for Extension of Time to conduct the Lake Ashby survey until February 1, 1994.

Therefore, it is

ORDERED by the Florida Public Service Commission that Southern Bell's Motion for Extension of Time to conduct the Lake Ashby survey by February 1, 1994, is hereby granted. It is further

ORDERED that this docket shall remain open pending the outcome of the ballot of the Lake Ashby customers.

By ORDER of the Florida Public Service Commission, this 14th day of February, 1994.

\_\_\_\_\_  
STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

CWM

by: Kary Flynn  
Chief, Bureau of Records

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 March 7, 1994.

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.