

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Modified Minimum Filing) DOCKET NO. 920196-TL
Requirements of Southland) ORDER NO. PSC-94-0282-FOF-TL
Telephone Company) ISSUED: March 10, 1994
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING
LUIS J. LAUREDO

FINAL ORDER REINSTATING PROPOSED AGENCY
ACTION ORDER NO. PSC-93-1637-FOF-TL

BY THE COMMISSION:

On March 31, 1992, Southland Telephone Company (Southland or the Company) filed modified minimum filing requirements, for the 12 months ended December 31, 1991. By Proposed Agency Action (PAA) Order No. PSC-93-1637-FOF-TL, issued November 8, 1993, the Commission, among other things, ordered Southland to bill for Gross Receipts Taxes as a separate line item and reduce touchtone rates. On November 29, 1993, Southland filed a protest to Order No. PSC-93-1637-FOF-TL, which was scheduled to go to hearing on March 24, 1994. On January 10, 1994, Southland withdrew its protest of Order No. PSC-93-1637-FOF-TL.

When Southland protested PAA Order No. PSC-93-1637-FOF-TL, that order became a legal nullity. However, since Southland has withdrawn its protest, we find it appropriate to reinstate Order No. PSC-93-1637-FOF-TL. The effect of Order No. PSC-93-1637-FOF-TL was revenue neutral with regard to Southland. Accordingly, Order No. PSC-93-1637-FOF-TL is reinstated effective February 15, 1994. Its proposed tariff (T-94-022), filed January 18, 1994, which will eliminate the embedded Gross Receipt Tax and offset the revenue impact by reducing the \$1.40 touchtone rate to \$.95, shall be effective March 15, 1994. This will allow Southland to provide notice of the impending rate and billing changes to its customers in its February, 1994 billing cycle and implement those changes in its March, 1994 billing cycle.

It is, therefore,

DOCUMENT NUMBER-DATE

02378 MAR 10 1994

FPSC-RECORDS/REPORTING

ORDER NO. PSC-94-0282-FOF-TL
DOCKET NO. 920196-TL
PAGE 2

ORDERED by the Florida Public Service Commission that Order No. PSC-93-1637-FOF-TL is hereby reinstated effective February 15, 1994. It is further

ORDERED that Southland Telephone Company's proposed tariff to eliminate the embedded Gross Receipt Tax and offset the revenue impact by reducing the touchtone rate to \$.95, is effective March 15, 1994. It is further

ORDERED that this docket is closed.

By ORDER of the Florida Public Service Commission, this 10th day of March, 1994.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

RJP

by: Kay Flynn
Chief, Bureau of Records

ORDER NO. PSC-94-0282-FOF-TL
DOCKET NO. 920196-TL
PAGE 3

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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer 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 after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.