

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of ) DOCKET NO. 940171-TL  
tariff filing to incorporate ) ORDER NO. PSC-94-0387-FOF-TL  
Riverview Terrace development ) ISSUED: April 4, 1994  
into the Sebastian exchange by )  
BELLSOUTH TELECOMMUNICATIONS, )  
INC. d/b/a SOUTHERN BELL )  
TELEPHONE AND TELEGRAPH COMPANY )  
(T-94-052 FILED 2/1/94) )  
\_\_\_\_\_ )

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

ORDER APPROVING TARIFF FILING

BY THE COMMISSION:

BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) filed proposed revisions to its Exchange Service Area Maps on February 2, 1994. The purpose of this filing is to consolidate the 183 lot Riverview Terrace subdivision currently under development in the northern portion of the Sebastian exchange. The current exchange boundary bisects the planned subdivision with part served from the Melbourne exchange and part from the Sebastian exchange. The subdivision is wholly within Southern Bell's territory and within Brevard County. This exchange boundary also represents a LATA boundary.

Southern Bell states that the primary community of interest for daily shopping, medical appointments, and recreation for the new Riverview Terrace subdivision is likely the Sebastian area. Staff verified that Southern Bell had checked with the developer about the likely area of community of interest. In addition, staff reviewed maps of the area to make sure the subdivision should be served from the Sebastian exchange. There are currently no customers living in this area; therefore, there would be no revenue effect due to this change.

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We find that Southern Bell's proposed tariff filing to incorporate the Riverview Terrace subdivision into the Sebastian exchange is appropriate because it is likely that the community of interest for the area will be in the Sebastian exchange, and it is desirable to serve the entire subdivision from one exchange. The tariff, if approved, should become effective April 3, 1994.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Southern Bell's proposed tariff filing to incorporate the Riverview Terrace subdivision into the Sebastian exchange is hereby approved and will become effective on April 3, 1994. It is further

ORDERED that if a protest is filed in accordance with the requirement set forth below, the tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest. It is further

ORDERED that if no protest is filed in accordance with the requirement set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 4th day of April, 1994.

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BLANCA S. BAYO, Director  
Division of Records and Reporting

( S E A L )

WEW

by: Kay 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 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 April 25, 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.