

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution by City of) DOCKET NO. 930978-TL
Fort Meade requesting extended) ORDER NO. PSC-94-1018-FOF-TL
area service (EAS) from Fort) ISSUED: August 23, 1994
Meade to the Lakeland, Winter)
Haven, Wauchula, Zolfo Springs,)
and Mulberry Exchanges.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
DIANE K. KIESLING

ORDER IMPLEMENTING EXTENDED AREA SERVICE

BY THE COMMISSION:

This docket was initiated pursuant to a resolution submitted by the City of Fort Meade requesting extended area service (EAS) from the Fort Meade exchange to the Lakeland, Winter Haven, Wauchula, Zolfo Springs, and Mulberry exchanges. The Fort Meade, Wauchula, and Zolfo Springs exchanges are served by United Telephone Company of Florida (United) and are located in the Fort Myers Market Area. The Lakeland, Winter Haven, and Mulberry exchanges are served by GTE Florida Incorporated (GTEFL) and are located in the Tampa Market Area.

By Order No. PSC-93-1521-PCO-TL, issued October 15, 1993, we required United and GTEFL to conduct traffic studies on these routes. By Order No. PSC-94-0464-FOF-TL, issued April 18, 1994, we required United to survey its customers in the Ft. Meade exchange for nonoptional, two-way, flat rate EAS to the Lakeland exchange under the 25/25 plan with regrouping. The Order provided that if the survey passed, United shall implement two-way nonoptional, flat rate extended area service from the Ft. Meade exchange to the Lakeland exchange at the following rates: R-1 at \$9.98; B-1 at \$23.39; and PBX at \$46.84. The Order also provided that if the survey passed, the additive shall stay in effect for two years or until United's next earnings review, whichever comes later.

DOCUMENT NUMBER-DATE
08608 AUG 23 1994
FPSC-RECORDS/REPORTING

United mailed 2,852 ballots to all customers of record in the Ft. Meade exchange. The results of the survey are as follows:

TABLE A
SURVEY RESULTS

	NUMBER	PERCENT OF TOTAL MAILED	PERCENT OF TOTAL RETURNED
Ballots Mailed	2,852	100.00%	
Ballots Returned	1,233	43.23%	100.00%
For EAS	717		58.15%
Against EAS	515		41.77%
Invalid	1		0.08%

Rule 25-4.063(6), Florida Administrative Code, requires a majority of all respondents in each exchange to vote favorably and at least 40% of all ballots mailed must be returned. Based on this rule, the survey passed because 43.23% of all ballots mailed were returned and 58.15% of the ballots returned voted in favor of EAS.

Based on the results of the survey, we require United and GTEFL to implement nonoptional, two-way, flat rate EAS between the Ft. Meade exchange and the Lakeland exchange at the rates stated in Order No. PSC-94-0464-FOF-TL. This route shall be implemented as soon as possible but not to exceed twelve months from the issuance date of this Order. Our staff will monitor implementation of the EAS to ensure that United and GTEFL make the necessary tariff revisions to comply with the implementation date.

GTEFL should request Judge Harold H. Greene of the U.S. District Court to waive the Consent Decree in order to implement nonoptional, two-way, flat rate EAS between the Ft. Meade exchange and the Lakeland exchange. Under terms of the Consent Decree, GTEFL cannot provide telephone service across the Local Access and Transport Area (LATA) boundaries without the Court's approval. In the past, Judge Greene has granted waivers for similar requests for nonoptional, two-way, flat rate EAS across LATA boundaries.

ORDER NO. PSC-94-1018-FOF-TL
DOCKET NO. 930978-TL
PAGE 3

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that United Telephone Company of Florida and GTE Florida Incorporated shall implement two-way, nonoptional, flat rate extended area service between the Ft. Meade exchange and the Lakeland exchange. This route shall be implemented as soon as possible but not to exceed twelve months from the issuance date of this Order. It is further

ORDERED that United and GTEFL shall implement two-way nonoptional, flat rate extended area service between the Ft. Meade exchange and the Lakeland exchange at the rates stated in Order No. PSC-94-0464-FOF-TL. It is further

ORDERED that GTEFL shall request a waiver from its consent decree in order to implement EAS as set forth in the body of this Order. It is further

ORDERED that this docket shall be closed. This docket will be placed on monitor status to ensure that United and GTEFL make the necessary tariff revisions to comply with the implementation date.

By ORDER of the Florida Public Service Commission, this 23rd day of August, 1994.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Ferguson
Chief, Bureau of Records

(S E A L)

DLC

ORDER NO. PSC-94-1018-FOF-TL
DOCKET NO. 930978-TL
PAGE 4

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.