

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 940837-TL
tariff filing to provide) ORDER NO. PSC-94-1122-FOF-TL
Switched 56 Kilobytes Per Second) ISSUED: September 13, 1994
(Kbps) service by VISTA-UNITED)
TELECOMMUNICATIONS.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER APPROVING TARIFF FILING

BY THE COMMISSION:

On July 21, 1994, Vista-United Telecommunications (Vista-United) filed a tariff proposing to introduce Switched 56 Kbps service. This service is a switched service that allows subscribers to transmit digital data at speeds up to and including 56 Kbps over the public switched network.

Switched 56 Kbps service provides an access line between two switched data users through switched facilities. It allows for the transport of data from one switched 56 Kbps access line to another switched 56 Kbps access line whether or not the lines are served from the same central office. The switched 56 Kbps access lines are not voice functional and would be available on an intraLATA basis for the transport of data only.

The proposed service would provide high speed data communications to entities that need this service such as governments, banks and other large businesses. Vista-United asserts that it is averaging approximately two (2) to three (3) requests per month for temporary installation of switched 56 Kbps service for large conventions.

GTE Florida, Inc., BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company), and United Telephone Company (United) already have tariffs in place that offer similar services. Like Vista-United's proposed Switched 56 Kbps service, GTEFL's Switched Data Service, Southern Bell's AccuPulse Service, and United's SwitchLink Plus

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allow users to transport data at 56 Kbps. Vista-United's proposed rates for this service are identical to United's and comparable to Southern Bell's and GTEFL's rates for switched 56 Kbps service.

The rate structure for the service consists of three basic elements. The elements are:

1. Basic Service Access line
2. Remote Access line
3. Local Usage

The **Switched 56 Kbps Basic Service Access Line** is the facility that connects a customer premises to the Switched 56 Kbps serving central office. This facility requires a data-conditioned local loop between the two offices. The Company has proposed a monthly recurring charge of \$30 with an associated nonrecurring charge of \$150 for Switched 56 Kbps basic service. This nonrecurring charge is in addition to the basic Service Connection Charges from Section A4 of the Company's tariff.

The **Remote Access Line** refers to the facilities and equipment necessary to extend a Switched 56 Kbps access line to customers who are served by central offices other than a central office equipped for Switched 56 Kbps service. The interoffice mileage charge between the two central offices consists of a monthly rate per airline mile of \$35 for the first mile and \$1 for each additional mile. These charges are for the extended portion of the access line and are in addition to the charges for Switched 56 Kbps basic service. The basic service charges include the equipment required in the 56 Kbps equipped central office to support the data transmission.

The **local usage** charges are the call usage charges to be billed by minute to the Switched 56 Kbps access line originating the call. The Company has proposed a network call usage charge of \$.06 per initial minute and \$.02 per additional minute. However, the Company does not currently have the capability to bill network call usage. Therefore, the Company has proposed a flat rate surrogate usage charge of \$10 per month until the Company's billing system can be modified in approximately six to nine months. This surrogate charge is identical to that currently used by United for billing network usage; however, it is unknown at this time when United will have the capability to bill network call usage. In addition, once Vista-United has the capability to measure usage rates, it has proposed a 50% discount on usage rates for all days from 8:00 p.m. - 9:00 a.m. and on weekends from 9:00 a.m. - 8:00 p.m.

Although Vista-United has not provided a cost study for the proposed service, its proposed rates mirror those offered by United for switched 56 Kbps service. We believe that since United's rates were previously determined to cover costs, then the rates proposed by Vista-United are appropriate.

The revenue projection for the first year based on the Company's demand will total approximately \$7,000. Excluding the annual cost to provide the service, this equates to an increase in the Company's intrastate ROE of .04%, from 3.32% to 3.36%.

Upon consideration, we believe Vista-United's proposal to introduce Switched 56 Kbps service should be approved. The rates proposed are appropriate and will not have a negative impact on the general body of ratepayers. In addition, the Company's proposed service provides an alternative to customers with significant data needs.

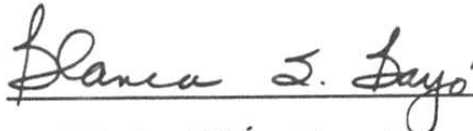
It is therefore,

ORDERED by the Florida Public Service Commission that the tariff filing by Vista-United Telecommunications to introduce Switched 56 Kbps service is approved. It is further

ORDERED that this tariff filing shall be effective September 19, 1994. It is further

ORDERED that if a timely protest is filed in accordance with the requirements set forth below, this tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest. If no timely protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 13th day of September, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

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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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on October 4, 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.