

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 940565-TL
tariff filing to transfer the) ORDER NO. PSC-94-1450-FOF-TL
Dover Rate Exception Area back) ISSUED: November 28, 1994
to its home exchange of Plant)
City by GTE FLORIDA INCORPORATED)
(T-94-228 filed 4/28/94))

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

FINAL ORDER

BY THE COMMISSION:

The Dover Rate Exception Area (Dover Area) is an exchange served by GTE Florida Incorporated (GTEFL). It is defined in sections A200.16 and A200.20 of GTEFL's General Service Tariff as being part of the Tampa exchange. There are approximately 2,425 customers with telephone prefixes of 650 and 659 who are located in the Dover Area. These two NXXs are restricted to Dover Area customers. All toll calls routed to and from the 650 and 659 prefixes are rated as if they were in the Tampa exchange. However, physical service is and always has been provided to these customers out of the Plant City and Pinecrest central offices.

The Dover Rate Exception Area was originally transferred from the Plant City exchange to the Tampa exchange on August 11, 1983, by Order No. 10803, in Docket No. 820188-TP. Residents of the Dover Area initiated the transfer by petition. Pursuant to the request, in February 1982, the Dover Area subscribers were surveyed and voted in favor of moving the Plant City exchange to the Tampa exchange. Even though the subscribers were moved to the Tampa exchange, GTEFL chose to continue physically serving these subscribers from the Plant City exchange because it was the least costly method of providing the Tampa exchange services.

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On April 28, 1994, eleven years later, GTEFL filed a proposed revision to its General Service tariff to transfer the Dover Area back to its original exchange of Plant City. The administrative processes currently employed by GTEFL to service the Dover Area have proven to be costly and inefficient.

According to GTEFL, the change is in the public interest because several factors that made the exception necessary in 1983 have changed. First, flat rate EAS between Tampa and Plant City was implemented in November 1993 which obviates the need for the existing exception arrangement. Secondly, with a move back to the Plant City exchange, the subscribers gain toll-free calling to the Lakeland exchange even though they lose extended calling service (ECS) to St. Petersburg, Clearwater, Zephyrhills, and Tarpon Springs. Third, basic local rates will remain essentially the same and telephone numbers will not change.

By Order No. PSC-94-0892-FOF-TL, issued July 20, 1994, the Commission ordered a subscriber survey of the Dover Area to determine whether the customers would approve the transfer. Pursuant to Commission Rule 25-4.063 (EAS Subscriber Survey), Florida Administrative Code, GTEFL mailed 2,305 ballots to all customers of record in the Dover Area. Approval of the transfer, pursuant to Rule 25-4.063(6), Florida Administrative Code, requires that 40% of the ballots be returned and that a majority of the respondents vote favorably.

Because 41.56% of the ballots were returned and 50.31% of those returned were in favor of the transfer, the transfer was approved. The vote was very close: 482 voted for the transfer while 462 voted against it. Nevertheless, since the survey met the requirements of Rule 25-4.063(6), Florida Administrative Code, the Dover Rate Exception Area shall be transferred back to the Plant City exchange. GTEFL shall implement this transfer within six months and notify the effected customers of the change by bill insert at least 60 days before the effective date of the change.

Based on the foregoing, it is

ORDERED that GTE Florida Incorporated transfer the Dover Rate Exception Area back to the Plant City exchange as explained in the body of this Order. It is further

ORDERED that GTE Florida Incorporated implement this transfer within six months and notify the affected customers of the change by bill insert at least 60 days before the effective date of the change. It is further

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ORDERED that this docket is closed.

By ORDER of the Florida Public Service Commission, this 28th
day of November, 1994.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Dizon
Chief, Bureau of Records

(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.

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.