

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution by Santa Rosa ) DOCKET NO. 930858-TL  
County Commission for countywide ) ORDER NO. PSC-95-0878-FOF-TL  
extended area service (EAS) ) ISSUED: July 19, 1995  
within Santa Rosa County and EAS )  
between Santa Rosa County and )  
Escambia County. )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION ORDER  
GRANTING AN EXEMPTION FROM THE REQUIREMENTS OF RULE 25-4.040

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

By Order No. PSC-93-1400-PCO-TL, issued September 14, 1993, we required BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell) to conduct traffic studies within Santa Rosa County and between Jay and Pensacola.

By Order No. PSC-93-1534-PCO-TL, issued October 19, 1993, we denied the portion of the Resolution requesting extended area service (EAS) between all of Santa Rosa County to all of Escambia County. We also noted that Santa Rosa County should amend its Resolution if it seeks EAS for routes in addition to those within Santa Rosa County and between Jay and Pensacola.

By Order No. PSC-94-0183-FOF-TL, issued February 14, 1994, we required Southern Bell to survey the Jay exchange for nonoptional, flat rate, two-way EAS to the Pensacola exchange.

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By Order No. PSC-94-0914-FOF-TL, issued July 26, 1994, we required Southern Bell to implement nonoptional, two-way, flat rate EAS between the Jay exchange and the Pensacola exchange as soon as possible, but not later than July 26, 1995. Southern Bell implemented EAS on the Jay/Pensacola route on May 1, 1995, which was more than 2 months prior to the July 26, 1995 deadline required by the Order.

On May 1, 1995, Southern Bell filed a Motion for Waiver of Commission Rule 25-4.040, Florida Administrative Code (F.A.C.). The Company requested this waiver because the implementation of EAS did not coincide with the publication of the directories. Rule 25-4.040 requires that "when expanded calling scopes are involved, as with Extended Area Service, each subscriber shall be provided with directory listings for all published telephone numbers within the local service area." In the past, this has been interpreted to mean that new, expanded directory listings must be furnished to customers at the time that EAS is implemented. See Order No. PSC-92-0080-FOF-TL, in Docket No. 920087-TL, issued March 19, 1992.

Southern Bell's next directory publishing date for the Jay and Pensacola exchanges is October, 1995. Southern Bell states that there are not a sufficient number of existing directories available to supply to its customers, and that it would be prohibitively expensive to do a special printing of the Jay and Pensacola directories. The Company further states that it does not believe that customers in the Pensacola and Jay exchanges would be unduly inconvenienced by a five-month delay in providing directories with the new expanded local calling area.

We have some concerns about the delay in directory publication for the Jay customers since they have the high volume calling to Pensacola and will pay the EAS monthly additive of \$2.29 for R-1 service and \$6.23 for B-1 service. However, the benefit of toll-free calling to the Pensacola exchange outweighs the inconvenience of lacking a Pensacola directory. Also, we do not believe that it is reasonable for Southern Bell to incur the additional expense of printing directories early.

Accordingly, we find that Southern Bell shall be granted an exemption from the directory requirement of Rule 25-4.040, Florida Administrative Code, until the regularly scheduled publishing date of the directory.

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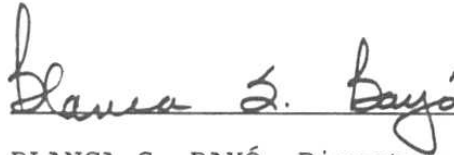
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company is hereby granted an exemption from the directory requirement of Rule 25-4.040, Florida Administrative Code, until the regularly scheduled publishing date of the directory. It is further

ORDERED this Order shall become final and effective on the date set forth below if no timely protest is filed pursuant to the requirements set forth below. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 19th day of July, 1995.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

DLC

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 action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 9, 1995.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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 and effective on the date described above, any party substantially 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 effective date of this order, 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.