

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 950834-TL
tariff filing to permanently) ORDER NO. PSC-95-1152-FOF-TL
waive service charges related to) ISSUED: September 18, 1995
disaster recovery by GTE Florida)
Incorporated. (T-95-413 filed)
7/5/95))
_____)

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

ORDER APPROVING TARIFF

BY THE COMMISSION:

On July 5 1995 GTE Florida Incorporated (GTEFL or Company) filed a tariff which, if approved, adds a permanent waiver of service charges related to disaster recovery. Staff believes the filing should be approved.

The Company's current tariffed policy for disaster relief provides for waiving service charges for re-establishing service at the original location after the premises is made untenable by fire. This filing extends this disaster relief to include waving service charges for establishment of service at temporary locations. Additionally, the waiver of service charges, which currently is limited to instances related to fires, would be broadened to include other disasters such as, but not limited to, hurricanes, tornados, and floods.

BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company of Florida (Southern Bell) already has in effect a Disaster Relief Plan similar to the one proposed by GTEFL. Southern Bell's Disaster Relief Plan was approved by the Commission in Order No. PSC-93-1367-FOF-TL on September 24, 1993 to provide relief to the hardship imposed on many of its customers as a result of Hurricane Andrew.

Due to the inability to forecast the occurrence of natural disasters, it is impossible to estimate the revenue impact of

DOCUMENT NUMBER-DATE

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FFSC-RECORDS/REPORTING

ORDER NO. PSC-95-1152-FOF-TL
DOCKET NO. 950834-TL
PAGE 2

GTEFL's filing. An example of the possible revenue impact this filing might have is provided by the impact of Hurricane Andrew. In a letter dated January 19, 1993, Southern Bell reported that the total amount of waivers for residential and business service order charges during the period of September 1, 1992 to October 31, 1992, due to Hurricane Andrew, was \$581,051.60.

We approved Southern Bell's proposed Disaster Relief Plan, concluding it was in the public interest. We believe that GTEFL's Disaster Relief Plan tariff filing is also in the public interest. Therefore, we find that GTEFL's tariff filing to eliminate the service charges related to disaster recovery is hereby approved, effective September 3, 1995.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that GTE Florida Incorporated's tariff filing to eliminate the service charges related to disaster recovery is approved, effective September 3, 1995. It is further

ORDERED that if a protest is filed in accordance with the requirements 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 requirements set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 18th day of September, 1995.


BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on October 9, 1995.

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.