

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 960446-TS
authority to provide shared) ORDER NO. PSC-96-0881-FOF-TS
tenant services by Hillsborough) ISSUED: July 3, 1996
County Aviation Authority.)
_____) ..

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 CERTIFICATE TO
PROVIDE SHARED TENANT SERVICES

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.

On April 5, 1996, the Hillsborough County Aviation Authority (HCAA) filed an application to provide shared tenant services. Under Section 364.339, Florida Statutes:

(2) No person shall provide shared tenant service without first obtaining from the commission a certificate of public convenience and necessity to provide such service. The commission shall grant certificates to telecommunication companies upon showing that the applicants have sufficient technical, financial, and managerial capabilities to provide shared tenant services. The commission may require such services to be offered and priced differently to residential and commercial tenants if deemed to be in the public interest.

* * *

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FPSC-RECORDS/REPORTING

(5) The offering of shared tenant service shall not interfere with or preclude a commercial tenant's right to obtain direct access to the lines and services of the serving local exchange telecommunications company or the right of the serving local telecommunications company to serve the commercial tenant directly under the terms and conditions of commission-approved tariffs.

HCAA's 1995 Annual Report reflects satisfactory managerial records. With regard to its technical capability, HCAA's exhibit indicates that HCAA will have the expertise to ensure that a high quality of service is maintained at its facilities. We have reviewed HCAA's financial statements, and it appears that its financial capability is adequate. Accordingly, we find it appropriate to grant Certificate No. 4680 to HCAA.

This Commission has no rule regarding what level of emergency services a shared tenant services provider must provide. This could result in a shared tenant services provider offering access to 911 service which is inferior to the access provided by the local exchange company. We do not believe that such a result is in the public interest. Accordingly, HCAA shall provide access to 911 service at a level at least equivalent to that provided by the local exchange company serving the same area.

It is, therefore,

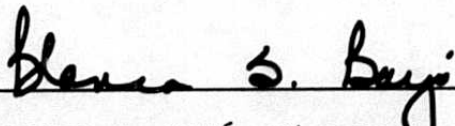
ORDERED by the Florida Public Service Commission that the Hillsborough County Aviation Authority is hereby granted Shared Tenant Services Certificate No. 4680. It is further

ORDERED that the Hillsborough County Aviation Authority shall provide access to emergency (911) services at a level at least equivalent to that provided by the local exchange company which serves the same area. It is further

ORDERED that, unless a person whose interests are substantially affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, this Order shall become final and this docket shall be closed.

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By ORDER of the Florida Public Service Commission, this 3rd
day of July, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

RJP

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 July 24, 1996.

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.