

MEMORANDUM

JANUARY 14, 1997

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FPSC-RECORDS REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *KMP*

RE: DOCKET NO. 951099-TL - PETITION BY RESIDENTS OF NORTH GOLDEN GATES AND CORKSCREW TO MOVE FROM IMMOKALEE EXCHANGE IN NAPLES EXCHANGE

97-0058

Attached is an ORDER CHANGING BOUNDARY OF NORTH GOLDEN GATES AND CORKSCREW FROM IMMOKALEE EXCHANGE INTO NAPLES EXCHANGE, to be issued in the above-referenced docket. (Number of pages in Order - 4)

KMP/anr
Attachment
cc: Division of Communications
I: 951099.kmp

*faxed
marked -*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by residents of) DOCKET NO. 951099-TL
North Golden Gates and Corkscrew) ORDER NO. PSC-97-0058-FOF-TL
to move from Immokalee exchange) ISSUED: January 16, 1997
in Naples exchange)
_____)

The following Commissioners participated in the disposition of this matter:

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

ORDER CHANGING BOUNDARY OF
NORTH GOLDEN GATES AND CORKSCREW FROM
IMMOKALEE EXCHANGE INTO NAPLES EXCHANGE

BY THE COMMISSION:

On September 1, 1995, residents of the North Golden Gate and Corkscrew areas filed a petition with the Commission requesting that they be moved from the Immokalee exchange to the Naples exchange.

By Order No. PSC-96-0794-FOF-TL, issued June 19, 1996, we ordered a ballot of the customers of the North Golden Gate and the Corkscrew areas to determine whether they are in favor of moving the boundary from the Immokalee exchange to the Naples exchange. The Order further required that for the survey to pass in favor of the boundary change, at least 50 percent of those balloted must respond and, of those responding, at least 60% must favor the boundary change.

On July 10, 1996, Roberta L. Wooster filed a timely protest of the Order. On July 24, 1996, Sandra Gliddon, the petitioner in this docket, filed a Motion to Dismiss Roberta L. Wooster's protest. On July 25, 1996, Ms. Wooster withdrew her protest. On July 26, 1996, we learned that Mr. and Mrs. Russell A. Getz also filed a protest, but with the Company, United Telephone Company of Florida (United), instead of this Commission. On August 7, 1996, the Getzes withdrew their protest.

By Order No. PSC-96-1258-FOF-TL, issued October 8, 1996, we reinstated and made final and effective Order No. PSC-96-0794-FOF-TL.

DOCUMENT
DD539-97
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United mailed 271 ballots to all customers of record in the North Golden Gate and Corkscrew areas. The results of the survey are shown in Table A:

TABLE A

SURVEY RESULTS			
	NUMBER	PERCENT OF TOTAL MAILED	PERCENT OF TOTAL RETURNED
Ballots Mailed	271	100.00%	
Ballots Returned	187	69.00%*	100.00%
For boundary change	149	54.98%	79.68%**
Against change	32	11.81%	17.11%
Invalid	6	2.21%	3.20%

* Order requires 50% of the ballots mailed must be returned.

** Order requires that of those ballots returned 60% must vote favorably.

Since the survey met the requirements of Order Nos. PSC-96-0794-FOF-TL and PSC-96-1258-FOF-TL, we hold that United shall move the customers of the North Golden Gate and Corkscrew areas from the Immokalee exchange to the Naples exchange at the rates stated in Order Nos. PSC-96-0794-FOF-TL and PSC-96-1258-FOF-TL, which are reflected in Table B. Our staff will monitor the docket to ensure that proper tariffs are filed.

TABLE B

	NAPLES RATES (a)	IMMOKALEE RATES (b)	DIFFERENCE (a-b)	ADDITIVE*	TOTAL INCREASE	NEW MONTHLY RATE
R-1	\$ 8.75	\$ 6.47	\$ 2.26	\$ 1.68	\$ 3.94	\$ 10.41
B-1	20.37	\$ 15.20	\$ 5.17	\$ 1.68	\$ 6.85	\$ 22.05

* Additive applies for ten-year period

The boundary change shall be implemented as soon as possible but not to exceed twelve months from the issuance date of this Order.

Based on the foregoing, it is

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/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 after the issuance 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.

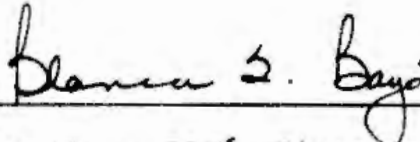
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ORDERED by the Florida Public Service Commission that United move the customers of the North Golden Gate and Corkscrew areas from the Immokalee exchange to the Naples exchange at the rates stated in Order Nos. PSC-96-0794-FOF-TL and PSC-96-1258-FOF-TL. Our staff will monitor the docket to ensure that proper tariffs are filed. It is further

ORDERED that the boundary change shall be implemented as soon as possible but not to exceed twelve months from the issuance date of this Order. It is further

ORDERED that this docket is closed.

By ORDER of the Florida Public Service Commission, this 16th day of January, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

KMP