

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Flow-through of 1997 LEC
switched access reductions by
IXCs, pursuant to Section
364.163(6), F.S.

DOCKET NO. 970274-TP
ORDER NO. PSC-97-1523-FOF-TP
ISSUED: December 3, 1997

The following Commissioners participated in the disposition of this matter:

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

ORDER CLOSING DOCKET

BY THE COMMISSION:

Section 364.163(6), Florida Statutes, requires any local exchange carrier (LEC) whose current intrastate switched access rates are higher than its December 31, 1994, interstate switched access rates to reduce its intrastate switched access rates by 5 percent annually, beginning October 1, 1996. A LEC must continue to make annual reductions until the LEC's current intrastate switched access rates reach parity with its December 31, 1994, interstate switched access rate levels.

Section 364.163(6), Florida Statutes, also requires interexchange telecommunications companies (IXCs) whose switched access rates are reduced by this section to reflect the reductions in their long distance rates in order to "flow through" the benefits to the customers.

In accordance with Section 364.163(6), Florida Statutes, we issued Order No. PSC-97-0604-FOF-TP, on May 27, 1997. By that Order, we required ALLTEL Florida, Inc., Frontier Communications of the South, Inc., GTE Florida, Inc., Sprint-Florida, Inc., and Vista-United Telecommunications (the LECs) to reduce their intrastate switched access rates, effective October 1, 1997. BellSouth Telecommunications, Inc.'s, March 1, 1997, intrastate switched access rate reductions, filed pursuant to Order No. PSC-97-0128-FOF-TL, in Docket No. 920260-TL, brought BellSouth's intrastate composite switched access rate below its December 31,

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1994, interstate composite switched access rate. Thus, we required the IXCs to flow through 2.7 percent of BellSouth's March 1, 1997, reduction. In addition, we ordered facility-based IXCs to flow-through the LEC switched access rate reductions, effective October 1, 1997, including the 2.7 percent of BellSouth's reduction. We directed Commission staff to report on the amount that the IXCs flowed through, including any amounts above and beyond the statutory requirement, by October 1, 1997.

The LECs' 1997 switched access rate reduction tariffs, and the IXCs' tariffs for the flow-through of those rate reductions, have become effective. On October 1, 1997, our staff provided a report to summarizing the IXC flow-throughs for 1997. The statutory requirements, as well as the requirements set forth in Order No. PSC-97-0604-FOF-TP, have been met for 1997. As such, no other matters remain to be addressed in this docket. This docket shall, therefore, be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that this docket is closed.

By ORDER of the Florida Public Service Commission this 3rd day of December, 1997.



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 120.569(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.