

MEMORANDUM

DECEMBER 22, 1997

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FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) <sup>BK</sup>

RE: DOCKET NO. 950699-TL - RESOLUTION BY CITY COMMISSION OF  
HAINES CITY REQUESTING EXTENDED AREA SERVICE (EAS) FROM  
HAINES CITY EXCHANGE TO ALL EXCHANGES WITHIN POLK COUNTY.

PSC-97-1610-PCD-TL

Attached is an ORDER GRANTING MOTION TO EXTEND TIME FOR SURVEY, with attachments, to be issued in the above referenced docket. (Number of pages in order - 3)

BK/js  
Attachment  
cc: Division of Communications  
I:950699or.bk

See 1

boxed - 2/2  
checked - 2/2

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution by City  
Commission of Haines City  
requesting extended area service  
(EAS) from Haines City exchange  
to all exchanges within Polk  
County

DOCKET NO. 950699-TL  
ORDER NO. PSC-97-1610-PCO-TL  
ISSUED: December 22, 1997

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON  
SUSAN F. CLARK  
DIANE K. KIESLING

ORDER GRANTING MOTION TO EXTEND  
TIME FOR SURVEY

BY THE COMMISSION:

We opened this Docket in response to Resolution No. 627 filed by the City Commission of Haines City (the City) on May 18, 1995, requesting extended area service (EAS) from the Haines City exchange to all exchanges located within Polk County. GTE Florida Incorporated (GTEFL or the Company) provides service to the Haines City, Lakeland, Bartow, Polk City, Mulberry, and Indian Lakes exchanges. Sprint-Florida, Incorporated (Sprint) serves the Fort Meade exchange. The Haines City, Lakeland, Bartow, Polk City, Mulberry, and Indian Lakes exchanges are located in the Tampa LATA, whereas the Fort Meade exchange is located in the Fort Myers LATA. The involved parties agreed that this proceeding should be governed by Chapter 364, Florida Statutes, as it existed prior to July 1, 1995.

By Order No. PSC-96-0620-FOF-TL, issued May 8, 1996, we denied the City's request for EAS from the Haines City exchange to all exchanges located within Polk County. We found that none of the routes qualified for non-optional, flat rate, two-way EAS or an alternative toll relief plan. Since the traffic data on the intraLATA routes did not indicate a community of interest, we concluded that additional interLATA traffic information would not change the result. On May 28, 1996, the City Commission of Haines City filed a protest of Order No. PSC-96-0620-FOF-TL, and we set

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this matter for hearing. On April 22, 1997, we held a public and technical hearing in Haines City, Florida.

By Order No. PSC-97-1308-FOF-TL, issued October 22, 1997, we required GTEFL to survey the Haines City/Lakeland, Haines City/Bartow, and Haines City/Polk City routes for non-optional, two-way EAS within 45 days of the issuance of the Order. In accordance with that Order, the survey should have been mailed to the customers by December 6, 1997.

On November 13, 1997, the Office of Public Counsel (OPC) filed a Motion to Extend Time for Survey by an Additional 45 Days. Therein, OPC asks that the deadline for GTEFL to conduct the survey of the Haines City routes be extended in order to avoid holiday conflicts. No responses were filed to OPC's motion.

In its motion, OPC states that if the current deadline for conducting the survey stands, customers will receive the survey during the holiday season. OPC asserts that, as a result, many subscribers may inadvertently overlook the survey. OPC states that if the survey is extended by an additional 45 days, subscribers will receive the survey after the holidays, thereby ensuring that the survey will more accurately reflect the position of the Haines City subscribers on the proposed extended area service plan.

We agree that the survey results will likely be more accurate if the survey is conducted at a later date. OPC's motion is, therefore, granted. GTEFL shall mail the survey of the Haines City exchanges by January 20, 1998.

Based on the foregoing, it is


ORDERED by the Florida Public Service Commission that the Office of Public Counsel's Motion to Extend time for Survey is granted. It is further

ORDERED that GTE Florida Incorporated shall mail the survey of the Haines City exchanges by January 20, 1998.

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By ORDER of the Florida Public Service Commission this 22nd  
day of December, 1997.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

  
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Kay Flynn  
Chief, Bureau of Records

( S E A L )

BK

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 this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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 or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.