

MEMORANDUM

March 26, 1999

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RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *BK*  
*MUB*

RE: DOCKET NO. 941281-TL - PETITION BY SUBSCRIBERS OF THE  
GROVELAND EXCHANGE FOR EXTENDED AREA SERVICE (EAS) TO THE  
ORLANDO, WINTER GARDEN, AND WINDERMERE EXCHANGES.

99-0563-PCO-TL

Attached is an ORDER GRANTING REQUEST FOR EXTENSION OF TIME,  
to be issued in the above-referenced docket. (Number of pages in  
order - 4)

BK/anr  
Attachment  
cc: Division of Communications  
I: 941281o.bk

*See 1, 2*

*6 mail*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by subscribers of the Groveland exchange for extended area service (EAS) to the Orlando, Winter Garden, and Windermere exchanges.

DOCKET NO. 941281-TL  
ORDER NO. PSC-99-0563-PCO-TL  
ISSUED: March 26, 1999

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK  
JULIA L. JOHNSON

ORDER GRANTING REQUEST FOR EXTENSION OF TIME

BY THE COMMISSION:

We established this Docket to address a petition submitted on November 11, 1994, by the subscribers of the Groveland exchange requesting extended area service (EAS) to the Orlando exchange. The Winter Garden and Windermere exchanges were also addressed in this case to prevent a situation referred to as "leapfrogging." Leapfrogging occurs when all or a portion of a non-EAS exchange lies between the requesting and desired exchanges. The Groveland, Winter Garden, and Windermere exchanges are served by Sprint-Florida, Inc. (Sprint or the Company). The Orlando exchange is served by BellSouth Telecommunications, Inc. (BellSouth). The Groveland exchange is located in the Gainesville local access and transport area (LATA). The Windermere, Winter Garden, and Orlando exchanges are located in the Orlando LATA.

By Order No. PSC-97-1309-FOF-TL, issued October 22, 1997, we ordered the companies to ballot the Groveland subscribers to determine if they were in favor of EAS to Orlando, Windermere, and Winter Garden. The survey results were favorable; therefore, by Order No. PSC-98-0308-FOF-TL, issued February 23, 1998, we required the companies to implement EAS on these routes. Sprint was ordered to implement EAS on these routes by February 23, 1999. BellSouth needed, however, to obtain a waiver from the FCC to implement EAS on the Groveland/Orlando route, because BellSouth is restricted from carrying interLATA traffic. Therefore, we directed BellSouth to contact the Federal Communications Commission (FCC) within twelve (12) months to request a waiver allowing BellSouth to carry the traffic on this interLATA route. BellSouth received its waiver on July 14, 1998.

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In accordance with Order No. PSC-98-0308-FOF-TL, BellSouth and Sprint were required to implement the Groveland/Orlando route on or before July 14, 1999. BST and Sprint are currently scheduled to implement EAS on this route by April 30, 1999. The other two routes, Groveland/Windermere and Groveland/Winter Garden, are Sprint intraLATA routes. As noted above, we required Sprint to implement EAS on these routes by February 23, 1999, by Order No. PSC-98-0308-FOF-TL.

On February 9, 1999, Sprint filed a motion seeking a limited extension of time to comply with the requirements of Order No. PSC-98-0308-FOF-TL applicable to the Groveland/Windermere and Groveland/Winter Garden routes. Sprint seeks a delay of approximately sixty (60) days so that all of the routes upon which EAS is scheduled to be implemented may be implemented at the same time in an effort to avoid customer confusion about the status of calling Orlando. No responses to the Motion were filed. Sprint states that unless the limited extension of time is granted, the implementation of the secondary routes, Groveland/Windermere and Groveland/Winter Garden, would precede the implementation of the Groveland/Orlando route by approximately 60 days.

Sprint adds that the customers that were balloted in this case approved the 25/25 additive with regrouping. Sprint indicates that if only the Winter Garden and Windermere subscribers were figured into the calculation, the net result would change both the additive and the regrouping determination, perhaps even the balloting results.

Sprint further asserts that it has encountered delays in acquiring a sufficient number of Central Florida telephone directories for all of the affected subscribers. The extension of time would allow Sprint to increase its supply of these directories in order to remain compliant with Rule 25-4.040(2), Florida Administrative Code, which states, in part,

Each subscriber served by a directory shall be furnished one copy of that directory for each access line. . . . When expanded calling scopes are involved, as with Extended Area Service, each subscriber shall be provided with directory listings for all published telephone numbers within the local service area.

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Upon consideration, we find that the short-term delay requested by Sprint for implementing these routes is reasonable and warranted. We believe that this delay will minimize customer confusion about the status of calling to the Orlando exchange. Therefore, Sprint's request for an extension of time to April 30, 1999, is granted.

Based on the foregoing, it is therefore

ORDERED by the Florida Public Service Commission that the Request for Extension of Time to comply with Order No. PSC-98-0308-FOF-TL filed by Sprint-Florida, Incorporated is granted. It is further

ORDERED that Order No. PSC-98-0308-FOF-TL is reaffirmed in all other respects. It is further

ORDERED that this docket shall remain open pending the final implementation of Extended Area Service on all the routes herein. This matter shall remain on monitor status to ensure that Sprint-Florida, Incorporated and BellSouth Telecommunications, Inc. make the necessary tariff revisions to comply with the implementation of the Extended Area Service routes in this docket.

ORDERED that upon implementation of the Extended Area Service routes in this docket and the filing of the necessary tariff revisions, this docket may be closed.

By ORDER of the Florida Public Service Commission this 26th day of March, 1999.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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.