

BEFORE THE-FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition for transfer of territory, for modification of certain exchange boundaries, and for certificate amendment in Orange County by Sprint-Florida, Incorporated (holder of Certificate No. 22) and BellSouth Telecommunications, Inc. (holder of Certificate No. 8).

DOCKET NO. 030138-TL
ORDER NO. PSC-03-0574-PAA-TL
ISSUED: May 6, 2003

The following Commissioners participated in the disposition of this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING JOINT PETITION FOR TRANSFER OF TERRITORY, FOR
MODIFICATION OF EXCHANGE BOUNDARIES AND FOR CERTIFICATE AMENDMENT

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.

CASE BACKGROUND

On February 7, 2003, Sprint-Florida, Inc. (Sprint) and BellSouth Telecommunications, Inc. (BellSouth) filed a joint petition for approval of a territorial agreement. The territorial

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agreement between Sprint and BellSouth modifies an exchange boundary by transferring a portion of the Baldwin Park Planned Unit Development (PUD) in Orange County from the BellSouth Orlando Exchange to the Sprint Winter Park Exchange and by transferring a portion of the PUD from the Sprint Winter Park Exchange to the BellSouth Orlando Exchange. On March 10, 2003, our staff conducted an on-site visit to the Baldwin Park PUD.

We are vested with jurisdiction in this matter pursuant to Section 364.335, Florida Statutes.

DECISION

Our staff's on-site visit confirmed that there are no current subscribers in the portion of the PUD addressed in the joint petition. Currently some of the exchange boundary lines bisect individual lots which would make servicing difficult. The proposed boundary changes would follow the centerline of streets currently projected within the development. This would make the boundaries more conducive to the provision and administration of telecommunications service.

Our staff concluded that Sprint and BellSouth have complied with the applicable provisions of Rule 25-4.005, Florida Administrative Code, by submitting an affidavit that the notice of intention to file the petition was provided to the Public Counsel, this Commission, and the governing bodies affected in Orange County. The requirement for two legal advertisements was also met. Therefore, we find it appropriate to approve the Sprint/BellSouth joint petition for transfer of territory, for modification of exchange boundaries and for certificate amendment.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the joint petition filed by Sprint-Florida, Inc. and BellSouth Telecommunications, Inc. to modify the exchange boundary in the Baldwin Park Planned Unit Development and to amend the companies' local exchange certificates is approved. It is further

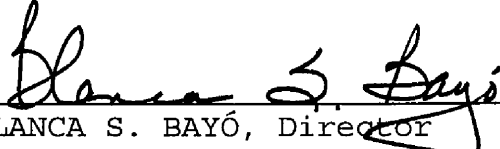
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ORDERED that Sprint-Florida, Inc. and BellSouth Telecommunications, Inc. should file tariffs reflecting the exchange boundary changes within 60 days of the issuance date of the consummating order.

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed upon the filing of tariffs by Sprint and BellSouth within 60 days of the issuance date of the consummating order.

By ORDER of the Florida Public Service Commission this 6th Day of May, 2003.



BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

(S E A L)

JPR

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 that is available under Section 120.57, 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 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.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on May 27, 2003.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.