

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Request by Sprint-Florida, Incorporated
for waiver of certain charges in order to
implement emergency tariff to assist customers
impacted by Hurricane Charley, effective
8/17/04.

DOCKET NO. 040864-TL
ORDER NO. PSC-04-0816-FOF-TL
ISSUED: August 20, 2004

The following Commissioners participated in the disposition of this matter:

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

ORDER GRANTING REQUEST FOR WAIVER TO IMPLEMENT EMERGENCY TARIFF

BY THE COMMISSION:

On August 17, 2004, Sprint-Florida, Incorporated (Sprint) filed an emergency tariff to assist customers impacted by Hurricane Charley. In conjunction with that filing, Sprint filed a request for waiver to allow the tariff to become effective immediately. Sprint asked that we give expedited consideration to this request. In view of the exigent circumstances, we addressed this matter at our August 17, 2004, Agenda Conference.

Pursuant to the tariff, customers would be able to avail themselves of Sprint's Vacation Rate, at no cost, until they are able to re-establish service, which will enable the customers to retain their existing telephone numbers in spite of the potentially extended period of disconnection. In addition, Sprint intends to waive all reconnection charges for customers in the Hurricane's devastating wake.

Upon consideration, we find that it is appropriate under these circumstances to grant Sprint's request. The purpose of the underlying statute will be achieved by other means. Furthermore, application of the notice period requirement would create substantial hardship to Sprint and those customers impacted by the hurricane. This action is consistent with our authority under subsections 364.01(4)(a) and (c), Florida Statutes, to protect the public health, safety, and welfare by ensuring that service is available to customers at reasonable prices and subject to effective price, rate, and service regulation.

It is therefore

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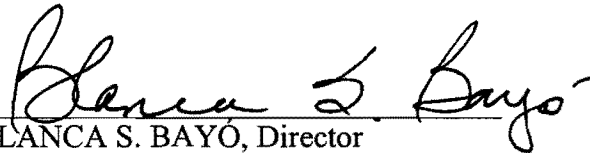
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ORDERED by the Florida Public Service Commission that Sprint-Florida, Incorporated's Request for Waiver to Implement its Emergency Tariff to assist customers impacted by Hurricane Charley is hereby granted, and the Emergency Tariff is approved. It is further

ORDERED that this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 20th day of August, 2004.


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

(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 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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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.