

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for approval of limited waiver of Rules 25-4.066(2), 25-4.070(3)(a), 25-4.073(1)(c) and (1)(d), and 25-4.110(2), F.A.C.; and for approval of modification and extension of Service Guarantee Plan (SGP) approved by Order PSC-00-2462-PAA-TL, by Sprint-Florida, Incorporated.

DOCKET NO. 030430-TL
ORDER NO. PSC-05-0630-FOF-TL
ISSUED: June 9, 2005

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman
J. TERRY DEASON

ORDER CLOSING DOCKET

BY THE COMMISSION:

In Docket No. 991377-TL, Initiation of show cause proceedings against Sprint-Florida, Incorporated for violation of service standards, by Order No. PSC-00-2462-PAA-TL, issued December 20, 2000, we approved the Service Guarantee Plan (SGP) submitted by Sprint-Florida, Incorporated (Sprint). Sprint's original SGP was implemented on June 1, 2001, and terminated on May 31, 2003.

In this docket, on May 7, 2003, Sprint filed a Petition for a two year extension of the limited waiver of Rules 25-4.066(2), 25-4.070(3)(a), 25-4.073(1)(c) and (1)(d), and 25-4.110(2)¹, Florida Administrative Code (F.A.C.); and for approval of modification and extension of its SGP. By Order No. PSC-03-0733-PAA-TL, issued June 19, 2003, we approved Sprint's Petition. Sprint's current SGP is scheduled to expire on May 31, 2005.

On May 11, 2005, Sprint filed a letter seeking our approval for a three month extension of its current SGP. In its letter, Sprint stated it will file a Petition with this Commission by July 15, 2005, requesting approval of a revised SGP, pursuant to Rule 25-4.085, Florida Administrative Code. Sprint further stated that its customers will continue to receive any applicable credits offered under the current SGP during the three month extension. Sprint's request proposes the new termination date for its current SGP would be August 31, 2005.

¹ Rule 25-4.110(2), F.A.C., changed numerically to Rule 25-4.110(6), F.A.C.; therefore, the rule number in the docket title is different than the rule number to which the rule waiver applies.

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FPSC-COMMISSION CLERK


We are vested with jurisdiction over this matter pursuant to Sections 120.542, 364.01, 364.03, 364.17, and 364.183, Florida Statutes. Accordingly, we extend the time period of Sprint-Florida, Incorporated's current Service Guarantee Plan and limited waiver of Rules 25-4.066(2), 25-4.070(3)(a), 25-4.073(1)(c) and (1)(d), and 25-4.110(6), Florida Administrative Code, for an additional 3 months.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the time period of Sprint-Florida, Incorporated's current Service Guarantee Plan and limited waiver of Rules 25-4.066(2), 25-4.070(3)(a), 25-4.073(1)(c) and (1)(d), and 25-4.110(6), Florida Administrative Code, is hereby extended for an additional 3 months, ending August 31, 2005. It is further

ORDERED that this Docket shall be closed. Thereafter, upon Sprint's filing of a revised SGP, a new Docket shall be opened to address such filing.

By ORDER of the Florida Public Service Commission this 9th day of June, 2005.



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

(SEAL)

LF

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.