

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: JOINT PETITION AND APPLICATION)	DOCKET NO. 881342-TL
OF GTE FLORIDA INCORPORATED AND UNITED)	
TELEPHONE OF FLORIDA FOR THE TRANSFER OF)	ORDER NO. 20804
A CERTAIN CERTIFICATED AREA IN PASCO)	
COUNTY.)	ISSUED: 2-24-89

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

ORDER APPROVING TRANSFER

BY THE COMMISSION:

On October 13, 1988, GTE Florida Incorporated (GTEFL) and United Telephone Company of Florida (United) jointly petitioned this Commission for approval to transfer a portion of GTEFL's certificated territory in Pasco County to United. Amendments to the Petition were required to eliminate errors, and the Petition was completed on January 19, 1989. The Petition indicates that the parties have met the notice guidelines and other requirements as set out in Rule 25-4.005, Florida Administrative Code.

The Petition requests the transfer of one square mile of GTEFL's Tampa-North exchange to United's San Antonio exchange, specifically located near the northern boundary of GTEFL's exchange and described as follows:

Section 35, Range 19 East, Township 24 South

GTEFL has no facilities in this rural area and, upon receipt of an application for service, it inquired as to United's willingness to serve in view of existing United service near the boundary line. The prospective customer, with knowledge of the differences in calling scope or rates, has no preference of companies. GTEFL estimates that it will incur additional costs of \$53,711 to serve this customer, including \$8,500 in excess construction. United estimates that it could serve the customer for \$2,869 in additional costs.

We find that the area in question is more economically served from United's exchange rather than GTEFL's. When combined with the lack of preference by the prospective customer, we find that the transfer should be approved. Certificate of Public Convenience and Necessity No. 31 should be revised to delete the area described above in Pasco County. Certificate No. 22 should be revised to include the full legal description of the area described above.

Based upon the foregoing, it is, therefore,

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ORDERED by the Florida Public Service Commission that the joint Petition of GTE Florida Incorporated and United Telephone Company of Florida to transfer from GTEFL to United one square mile in Pasco County, as described in the body of this Order, is hereby granted. It is further

ORDERED that GTEFL and United shall submit tariff filings within 30 days of the issuance of this Order revising local exchange area maps using metes and bounds description of the area transferred, to correctly describe the companies' certificated serving areas. These tariffs will be effective 60 days thereafter. It is further

ORDERED that the companies' respective certificates be amended to reflect the above-approved transfer. It is further

ORDERED this docket be and hereby is closed.

By ORDER of the Florida Public Service Commission,
this 24th day of FEBRUARY, 1989.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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 Records and Reporting 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 or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting 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.