

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition and applica- )	DOCKET NO. 891014-TL
tion of Southern Bell Telephone and )	
Telegraph Company and United Tele- )	ORDER NO. 22540
phone Company of Florida for transfer )	
of certain certificated territories )	ISSUED: 2-13-90
in Citrus County and Orange County. )	
_____ )	

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman  
 THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 JOHN T. HERNDON

ORDER APPROVING JOINT PETITION TO TRANSFER TERRITORIES

BY THE COMMISSION:

Pursuant to several requests, United Telephone and Southern Bell negotiated an agreement whereby several territories would be transferred between the companies so that a number of existing subdivisions will continue to be served by one local exchange company as they are extended and completed. United and Southern Bell filed a letter of intent to transfer these territories on September 8, 1987.

After several incomplete petitions and a resurvey of the areas to be transferred, Southern Bell and United Telephone refiled an amended Joint Petition and Application seeking Commission approval to transfer certain territories in Citrus and Orange Counties on August 1, 1989.

The areas to be transferred are described more fully in the legal descriptions attached hereto.

The transfer will involve the following five areas within Citrus and Orange counties.

DOCUMENT NUMBER-DATE

01376 FEB 13 1990

FPSC-RECORDS/REPORTING

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1. Beverly Hills Subdivision (Citrus County) - This is an existing subdivision in United's Beverly Hills exchange. The monthly residential 1-party rate in the Beverly Hills exchange is \$6.76, in rate group 6, with toll free calling to 44,226 access lines and EAS to Crystal River, Homosassa Springs and Inverness. There are approximately 2,240 undeveloped platted lots for single family dwellings of the new phase that are located in Southern Bell's Dunnellon exchange. The monthly residential 1-party rate for the Dunnellon exchange is \$8.80, in rate group 5, with toll free calling to 90,847 access lines and EAS to Bellview, Forest, Ocala, Oklawaha, Salt Springs, Silver Springs Shores and Yankeetown. The proposed transfer will place all of the new phase, and thus all of Beverly Hills Subdivision, in United's Beverly Hills exchange. Presently, there are no customers being served in the part of the new phase which is located in Southern Bell's territory.

2. Fairview Estates Subdivision (Citrus County) - This established subdivision is partially in Southern Bell's Dunnellon exchange and partially in United's Inverness exchange. Most of the developed area is in United's territory. The proposed transfer would place the entire subdivision in United's territory. There are six customers, in Southern Bell's territory, who are currently being served by United's Inverness exchange.

The Inverness exchange has a monthly residential 1-party rate of \$6.76 with toll free calling to 44,226 access lines and EAS to Beverly Hills, Crystal River and Homosassa Springs. If the transfer is approved, there will be no impact to the six customers since they are presently receiving their service from United. If the transfer is denied, the customers rates and calling scope will become those shown above for the Dunnellon exchange. In addition, their telephone numbers would be changed.

3. Two Vacant Parcels (Citrus County) - One of the parcels is adjacent to the new phase of the Beverly Hills Subdivision and the other is adjacent to the new phases of both the Beverly Hills and the Fairview Estates subdivisions. Both parcels, of approximately 200 building units each, lie within Southern Bell's Dunnellon exchange and would be transferred to United's Beverly Hills exchange. There are presently no customers in either parcel.

4. Citrus Springs Subdivision (Citrus County) - Citrus Springs is an existing subdivision which lies partially in Southern Bell's Dunnellon exchange and partially in United's Beverly Hills exchange. The dividing line between the service territories, as presently located, divides lots in the subdivision. The proposed transfer of territory from United to Southern Bell would make a power line easement, with a width of 100 feet, the distinct boundary and make the exchange line coincide with the division of lots. The customers in the developed part of the subdivision receive their service from Southern Bell's Dunnellon exchange. There are no customers located in the area United is proposing to transfer to Southern Bell. The transfer would only correct a discrepancy between the exchange line and the lot division lines and there would be no change to present service.

5. Hunter's Creek Subdivision (Orange County) - Hunter's Creek is an established subdivision which lies partly in Southern Bell's Orlando exchange and partly in United's Reedy Creek exchange. The companies believe the transfer of this area from United to Southern Bell will balance the various other transfers of territory in this Petition, and will prevent the subdivision from being served by two companies. The subdivision is presently served by Southern Bell's Orlando exchange. The rate for residential 1-party service in the Orlando exchange is \$10.05 in rate group 9, with toll free calling to 453,683 access lines and EAS to Apopka, East Orange, Lake Buena Vista, Montverde, Oviedo, Reedy Creek, Windermere, Winter Garden and Winter Park. The territory United is proposing to transfer to Southern Bell is in the Reedy Creek exchange with a monthly residential 1-party rate of \$9.97, in rate group 9, toll free calling to 444,926 access lines, and EAS to Apopka, East Orange, Lake Buena Vista, Montverde, Orlando, Windermere, West Kissimmee, Winter Garden and Winter Park. There are currently no customers being served out of the proposed transfer area.

Southern Bell and United have complied with the requirements to notice affected customers, governing county and municipal bodies, Public Counsel and this Commission. They have also advertised in newspapers of general circulation in the area affected at least two weeks prior to the filing of this Petition.

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We believe that the transfers are feasible from an economic standpoint and will be beneficial to the subscribers of both companies. The transfer of territory will keep the subdivisions from being served by two companies, with exception to Citrus Springs, and keep calls between neighbors from being long distance calls. In addition, the transfer will correct the problem of cross boundary service being provided to the six customers in Fairview Estates and place them in the exchange from which they are currently receiving service. Therefore, the Joint Petition and Application of Southern Bell and United Telephone for transfer of certain certificated territories in Citrus and Orange Counties is approved effective February 20, 1990.

Based on the foregoing, it is hereby

ORDERED that the Joint Petition and Application of Southern Bell and United Telephone to transfer certain certificated territories in Citrus and Orange Counties, identified in this Order and in the legal descriptions attached hereto, is approved effective February 20, 1990. It is further

ORDERED that this Docket be and the same is hereby closed.

By ORDER of the Florida Public Service Commission,  
this 13th day of FEBRUARY, 1990.

  
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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.

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LEGAL DESCRIPTION OF PROPERTIES TO BE TRANSFERRED

a. Beverly Hills Subdivision, Fairview Estates  
Subdivision and two vacant parcels.

From a Point of Beginning at the Northwest Corner of Section 6, Township 18 South, Range 19 East, proceed East along the North boundary line of Section 6 to the Northeast Corner of Section 6; thence South along the East boundary line of Section 6 to the Southeast Corner of the Northeast Quarter of Section 6; thence West along the one-half Section line of Section 6 to the Southwest Corner of the Northeast Quarter of Section 6; thence South along the one-half Section line of Sections 6 and 7 to the Southwest Corner of the Northeast Quarter of Section 7, Township 18 South, Range 19 East; thence East along the one-half Section line of Sections 7 and 8 to the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 8; thence South to the Southeast Corner of the Northwest Quarter of the Southeast Quarter of Section 8 which is a point on the existing boundary between the service territory of Southern Bell and United; thence West along the existing service territory boundary to the West boundary line of Section 7, thence North along the West boundary line of Sections 6 and 7, which is also The existing territory boundary, to the Point of Beginning.

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b. Citrus Springs Subdivision.

From a Point of Beginning at the intersection of the South boundary of Section 29, Township 17 South, Range 19 East and the Northwest Corner of Citrus Springs Unit 22, proceed South along the West boundary line of Unit 22 to the center line of a Florida Power Corporation easement; thence proceed Easterly along the center line of the Florida Power Corporation easement to a point on the East boundary line of Section 35, Township 17 South, Range 18 East, which is also the existing boundary line between the service territories of Southern Bell and United; thence proceed North along the east boundary line to the Northeast Corner of Section 35; thence proceed East along the north boundary lines of Sections 35, 34, 33 and 32 to the Point of Beginning.

c. Hunter's Creek Subdivision.

From a Point of Beginning at the Southwest Corner of Section 31, Township 24 South, Range 29 East, proceed East along the South boundary line of Section 31 to its intersection with the existing boundary delineated by Shingle Creek between the service territories of Southern Bell and United; follow the existing boundary (Shingle Creek) northeasterly to the Northern boundary of Section 29, Township 24 South, Range 29 East, then proceed west along said Northern boundary line to the Northeast Corner of Section 30, Township 24 South, Range 29 East; thence West along the North boundary line of Section 30 to the Northwest Corner of Section 30; thence South along the West boundary line of Section 30 to the Point of Beginning.