

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by residents of Boynton ) DOCKET NO. 881371-TL  
 Lakes for a boundary change between the )  
 Boynton Beach and West Palm Beach exchange) ORDER NO. 22612  
 of Southern Bell Telephone Company. )  
 \_\_\_\_\_) ISSUED: 2-27-90

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

NOTICE OF PROPOSED AGENCY ACTIONORDER DENYING PETITION TO CHANGE EXCHANGE BOUNDARY

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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

This docket was brought before the Commission at the December 5, 1989 agenda conference at which time it was approved as a Final Order. It should have been approved as a PAA and, therefore, it is before the Commission again to be approved as such.

On July 28, 1989 we began receiving letters from the residents of the Boynton Lakes subdivision in Palm Beach County, Florida registering protests regarding the assignment of telephone exchanges within their development. After establishment of a resident contact person, it was learned that the residents were requesting a boundary change so their local calling scope would include Delray Beach.

The Boynton Lakes subdivision is located within the West Palm Beach exchange and is just north of the boundary line dividing the West Palm Beach and Boynton Beach exchanges.

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Their local calling scope ranges north to Jupiter and south to the city of Boynton Beach. To accommodate the request of the residents they would have to become part of the Boynton Beach exchange. Their local calling scope would then be from West Palm Beach to Delray Beach.

Southern Bell states that a boundary change would include not only the Boynton Lakes subdivision but those in the surrounding areas as well. The total estimated cost to transfer the 2,015 lines that would be affected from the West Palm Beach central office to the Boynton Beach Office would be approximately \$1,813,650. This includes \$672,000 in central office costs, \$1,096,650 in outside plant costs and \$45,000 for customer services.

We asked Southern Bell to survey the customers who would be affected by the proposed boundary change. The survey notified the residents that: "As part of the West Palm Beach exchange you presently have a monthly charge of \$9.80 for a Single Line Residence Local Basic Service, \$26.60 for a Business Line, a Business Message Rate of \$19.81 and a Local Calling Area from Jupiter to Boynton Beach, Florida. If the boundary is changed you will become part of the Boynton Beach Exchange, your telephone number will have to be changed. Your monthly local basic service will increase to \$10.05 for single line residence local basic service, \$27.40 for a Business Line, a Business Message Rate of \$20.41 and a Local Calling Area from West Palm Beach to Delray Beach, Florida." 511 customers voted in favor of a boundary change. 502 were residential and 9 were business. 515 customers opposed the change. 501 were residential and 14 were business. 13 customers responded but did not express an opinion either way.

We sympathize with those residents that petitioned the Commission for the boundary change. Some of these residents are on fixed incomes and many have friends in Delray Beach to whom calls are made on a regular basis. However, Optional Extended Area Service (OEAS) is available as an alternative for those who desire discounted toll service. Given the fact that the majority of those surveyed opposed the change and the fact that alternatives such as Optional Extended Area Service exist, we do not feel that a boundary change is in the best interest the majority of those involved.

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Based on the foregoing, it is

ORDERED that the petition of the residents of Boynton Lakes to transfer that subdivision to the Boynton Beach exchange is denied. It is further

ORDERED that this docket be closed after the protest period has run, if no protest has been received.

By ORDER of the Florida Public Service Commission, this 27th day of FEBRUARY, 1990.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

JSR

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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in

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the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on March 20, 1990.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code, and as reflected in a subsequent order.

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

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by 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 of the effective date 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.