

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by Country Club) DOCKET NO. 910028-TL
of Miami Community Improvement) ORDER NO. PSC-92-0169-FOF-TL
Council for a Miami/North Dade) ISSUED: 04/08/92
boundary line change.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
BETTY EASLEY

ORDER REQUIRING BOUNDARY CHANGE

BY THE COMMISSION:

This docket was initiated pursuant to a September 14, 1990, complaint by a Southern Bell Telephone and Telegraph (Southern Bell or the Company) subscriber located in the Country Club of Miami area (Country Club). The subscriber wanted to be able to call the Hollywood exchange toll free. Upon receipt of the complaint we required Southern Bell to survey its subscribers in the Country Club area regarding the boundary change. Of the customers responding to the survey, the vote was two-to-one in favor of the transfer, with an understanding that the transfer would require a change in telephone number. We approved the transfer at the July 30, 1991, Agenda Conference and, on August 20, 1991, issued Order No. 24943, a Proposed Agency Action (PAA), which proposed to implement the boundary change. The PAA was protested by 32 subscribers. A customer hearing was held in Hialeah, Florida on November 21, 1991.

The original complaint reflects a desire to call toll free to and from Hollywood. To address this concern, we must consider several issues. First, we must decide whether the request is reasonable and should be approved. Second, we must decide whether, if approved, the mechanism to implement such a change should be through an Extended Area Service (EAS) plan or a boundary change. Third, in the event that a boundary change is decided to be appropriate, we must decide whether a telephone number change will be required. Finally, if the boundary change is approved, we must provide for a reasonable transition between the exchanges.

Upon review, toll free calling to and from Hollywood appears to be reasonable. Survey results indicate that the community of interest of the Country Club residents appears to most closely approximate the community of interest for North Dade exchange residents. The survey results are as follows:

DOCUMENT NUMBER-DATE

03386 APR-8 1992

PSC-RECORDS/REPORTING

	<u>NUMBER</u>	<u>PERCENT</u>
Ballots Mailed	1527	100
For Transfer	479	31
Against Transfer	242	16
Invalid	4	0

We find that the mechanism for the change should be through a boundary change rather than implementation of EAS. Looking at a map of the affected area, it is evident that the boundary represents an irregularity. The Country Club is the only area of Dade County which borders Broward County, yet cannot call into Broward County. The North Dade exchange serves the land on three sides of this small section of Dade County. We note that there was little significant development in northwestern Dade and southwestern Broward County prior to the late 1970's. Therefore, a calling scope to the south and east made sense for those living in the Country Club at that time. Because of the significant population increase in Broward County generally, and southwestern Broward County specifically, a calling scope which extends somewhat to the north now seems more sensible. Another reason why a boundary change is more appropriate than EAS is that EAS plans necessarily involve entire exchanges and not small sections of exchanges. Granting EAS from the Miami exchange to the Hollywood exchange would involve conducting traffic studies, and possibly a customer survey of over 900,000 subscribers. We note that, even if all 1537 subscribers in the Country Club signed a petition for EAS to Hollywood, it would not be sufficient to open an EAS docket. For these reasons, we find that a boundary change is the appropriate mechanism for the calling scope change.

We now review alternatives regarding the implementation of a boundary change. These are:

1) Grandfather any customer who wishes to keep her current number. Any customer keeping her present number would also retain her current calling scope.

2) Allow customers to have two phone lines at the same premises and allow one line to have the current calling scope and the other line to have local calling to and from Hollywood.

3) Change all telephone numbers but extend the normal six month period for an intercept recording free to customers.

4) Where possible, allow a customer to retain the last four digits of his telephone number and only change the first three

digits. This would be done at no charge to the customer on a first come first served basis.

The grandfathering option would allow a customer who wishes to keep her present telephone number to do so while retaining the present local calling scope. Such customers could keep the number until they move, discontinue service, or some other circumstance requires a number change. A customer who wishes the Hollywood local calling scope could change his number and receive the Hollywood calling scope.

There are problems with this alternative. Allowing a customer to choose which number and calling area association would require that each transaction be handled manually. Manual handling increases the chances of mistakes occurring during any customer contact with the Company or upon any service or repair needed by the customer. Manual handling of each account would also be more costly. Moreover, grandfathering would result in neighbors having different calling scopes with different toll charges. We find that such a plan would result in customer confusion and administrative problems for the LEC. Therefore, we reject this option.

A second alternative is to provide for two calling scopes at the same location. However, allowing a dual local calling scope as part of basic service rather than through a Foreign Exchange Service contradicts the way local calling areas exist in Florida. Upon review, we find that changing the structure of calling scopes is not warranted by the facts before us. We reject this option.

A third alternative is a boundary change with a mandatory telephone number change for all customers in the area. This would be accompanied by an extended intercept message. As we concluded earlier, the situation calls for a boundary change and mandatory telephone number changes are usually associated with boundary changes. This alternative appears to be the most appropriate option and we approve this approach. In this regard, we note that the Company, and not the subscriber, owns the telephone number.

The mandatory number change alternative anticipates placing the intercept message on the current numbers for a period not less than twelve (12) months and having the newly assigned numbers appear in the reissue of the directory. We find that this will provide reasonable protection for the subscribers.

Within the context of a boundary change and mandatory number change is the possibility that the Company could allow a subscriber to keep the last four digits of his current telephone number if it is available in the North Dade exchange. There are problems with

requiring the Company to allow each customer to keep his or her last four digits. For example, there are presently seventeen (17) NXXs out of the Hialeah central office. Thus, there is some likelihood of more than one customer having the same last four digits. Since it may be impossible, we do not mandate that the Company allow each customer to keep his final four digits. However, where possible, on a first come first served basis, and at no charge, the Company shall attempt to accommodate customers in this regard.

The decisions set forth above will result in changes to the customers as follows: 1) No change in basic rates, 2) Telephone numbers will change, 3) Customers will lose toll-free calling to and from Homestead but gain toll-free calling to and from Hollywood. The impact on the Company will involve minimal facilities costs since the affected customers will continue to be served by the Hialeah central office.

In order to minimize disruption regarding the change, the Company shall immediately notify customers that their telephone numbers will be changing within 90 days to an NNX in the North Dade Exchange. Such notice shall also inform the customers that they may, on a first come first served basis and at no charge, request to keep the final four digits of their current telephone number.

Within 30 days of the first notice, the Company shall advise customers of their new numbers and the date on which the transfer will become effective. Each notice shall inform customers that effective with the transfer, calls to and from the Homestead exchange will become toll calls and calls to and from the Hollywood exchange will be toll-free (local). Customers shall also be notified of the intercept requirements which follow.

An intercept message advising a caller of the new number shall remain in effect for a twelve (12) month period or until the Greater Miami Directory is reissued, whichever is later.

Based upon the foregoing, it is

ORDERED by the Florida Public Service Commission that each and every finding set forth in the body of this Order is approved in every respect. It is further,

ORDERED that the boundary change discussed in the body of this Order shall be completed within ninety (90) days of the issuance of this Order. It is further

ORDER NO. PSC-92-0169-FOF-TL
DOCKET NO. 910028-TL
PAGE 5

ORDERED that affected customers shall be notified as set forth in the body of this Order. It is further

ORDERED that intercept service shall be placed on all numbers as set forth in the body of this Order. It is further

ORDERED that, where possible, on a first come first served basis and at no charge, the Company shall allow each customer to retain the last four digits of his or her telephone number when assigning a new number to that customer. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission, this 8th day of April, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

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

ORDER NO. PSC-92-0169-FOF-TL
DOCKET NO. 910028-TL
PAGE 6

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.