

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for extended) DOCKET NO. 920097-TL
area service between Frostproof) ORDER NO. PSC-92-0943-FOF-TL
and the Bartow, Haines City,) ISSUED: 9/8/92
Indian Lakes, and Winter Haven)
exchanges.)
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
SUSAN F. CLARK
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER DENYING EXTENDED AREA SERVICE

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 opened pursuant to a petition filed by the Polk County Board of County Commissioners (Polk County). Polk County requests extended area service (EAS) between Frostproof and the Bartow, Haines City, Indian Lakes and Winter Haven exchanges. All of the exchanges are situated in Polk County, served by GTE Florida Incorporated (GTEFL or the Company). By Order No. PSC-92-0013-PCO-TL, issued March 9, 1992, we required the Company to conduct a traffic study on these routes. The time for the study to be filed was extended by Order No. PSC-92-0274-PCO-TL, issued April 29, 1992. On June 9, 1992, the Company filed the required traffic study.

Rule 25-4.060(2), Florida Administrative Code, requires a two-way calling rate of two (2) M/M/Ms or greater with at least 50% of the exchange subscribers making one (1) or more calls per month. In cases where the petitioning exchange contains less than half the number of access lines as the exchange to which EAS is desired, Rule 25-4.060(2)(a) applies. Rule 25-4.060(2)(a) requires a one-way calling rate of three (3) M/M/Ms or greater with at least 50% of the exchange subscribers making two (2) or more calls per month to the larger exchange to qualify for traditional EAS.

The calling rates for all of the routes at issue in this docket are listed in the table below. Upon review, we find that

DOCUMENT NUMBER-DATE

10237 SEP -8 1992

FPC-RECORDS/REPORTING

none of the routes qualify for nonoptional, flat rate, two way toll free calling.

INTEREXCHANGE CALLING RATES		
TO/FROM	CALLING RATE M/M/M	CUSTOMERS MAKING 2+ CALLS PER MONTH
Frostproof/Winter Haven	1.51	24.87%
Bartow/Haines City	.80	11.30%
Frostproof/Bartow	.72	13.98%
Indian Lake/Frostproof	.66	10.65%
Haines City/Bartow	.59	11.84%
Frostproof/Haines City	.44	8.26%
Bartow/Frostproof	.19	3.92%
Frostproof/Indian Lake	.14	2.93%
Winter Haven/Frostproof	.11	1.97%
Haines City/Frostproof	.09	1.85%

We shall consider the Polk County petition further in the context of the GTE Florida Rate Case (Docket No. 920188-TL). GTEFL has proposed a countywide ECS Plan for Polk County. This ECS proposal includes all the routes requested in the instant docket plus the remaining exchanges in Polk County. The GTEFL ECS proposal may provide the toll relief the citizens of Frostproof are seeking.

Therefore, it is

ORDERED by the Florida Public Service Commission that the calling rates on the toll routes considered in this docket do not qualify for nonoptional, flat rate, two-way toll free calling. It is further

ORDERED that the Polk County petition shall be considered as part of the GTE Florida Incorporated Rate Case (Docket No. 920188-TL). It is further

ORDERED that this docket shall be closed at the end of the Proposed Agency Action protest period, assuming no timely protest is received.

ORDER NO. PSC-92-0943-FOF-TL
DOCKET NO. 920097-TL
PAGE 3

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



STEVE TRIBBLE, Director
Division of Records and Reporting

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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.

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 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 September 29, 1992.

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.

ORDER NO. PSC-92-0943-FOF-TL
DOCKET NO. 920097-TL
PAGE 4

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 wastewater 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.