

FLORIDA PUBLIC SERVICE COMMISSION

Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0850

M E M O R A N D U M

November 12, 1992

TO : DIRECTOR, DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF COMMUNICATIONS [SHELPER] *ASD*
DIVISION OF LEGAL SERVICES [GREEN] *US* *W* *R*

RE : DOCKET NO. 910529-TL (PASCO COUNTY EAS) - REQUEST BY
PASCO COUNTY COMMISSIONERS FOR EXTENDED AREA SERVICE
BETWEEN ALL PASCO COUNTY EXCHANGES.

DOCKET NO. 920270-TL (GILCHRIST COUNTY EAS) - REQUEST FOR
EXTENSION OF TIME TO IMPLEMENT THE GILCHRIST COUNTY \$.25
CALLING PLAN BY ALLTEL FLORIDA, INC.

AGENDA: NOVEMBER 24, 1992 - CONTROVERSIAL- PARTIES MAY
PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\CMU\WP\910529E.AHS

PLACE DOCKET NO. 921166-TL AFTER THIS
DOCKET

CASE BACKGROUND

- By Order No. PSC-92-0158-FOF-TL, issued April 6, 1992, in Docket No. 910529-TL (Pasco County), the Commission ordered Southern Bell, United and General Telephone to implement the \$.25 message rate on specific routes by October 28, 1992.
- By Order No. 25340, issued November 13, 1991, in Docket No. 870790 (Gilchrist County), the Commission ordered Southern Bell and ALLTEL to implement the \$.25 message rate on specific routes no later than July 1, 1992.
- By Order No. PSC-92-0557-FOF-TL, issued June 23, 1992, in Docket No. 920270-TL (Gilchrist County), the Commission granted Southern Bell and ALLTEL an extension of time in which it extended the implementation date "until a decision is made on Southern Bell's MFJ waiver request" on specific routes.

DOCUMENT NUMBER-D
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PSC-RECORDS/REPC

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- In Docket No. 910529-TL (Pasco County), Southern Bell and GTE Florida filed a Motion for an Extension of Time to implement the \$.25 message plan on the Brooksville/Hudson route until 120 days after a waiver of the MFJ is granted by the Court. In addition, GTE Florida's Motion requests an extension of time to implement the \$.25 message plan on the San Antonio/Tampa-North and Dade City/Tampa-North routes, which are associated with United Telephone. United's part of these routes will be addressed in Docket No. 921166-TL.
- In Docket No. 920270-TL (Gilchrist County) Southern Bell and ALLTEL filed a Motion for an Extension of Time to implement the \$.25 message plan on the Branford/Trenton, High Springs /Trenton, and Branford/Newberry routes until ninety (90) days after a waiver of the MFJ is granted by the Court.
- This recommendation will address these routes and extensions to the scheduled implementation.

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DISCUSSION OF ISSUES

ISSUE 1: Should Southern Bell and ALLTEL's Motions for Extension of Time in Docket No. 920270-TL (Gilchrist County) to implement the \$.25 message plan ninety days after the MFJ waiver is granted on the Branford/Trenton, High Springs/Trenton and Branford/Newberry routes be approved?

RECOMMENDATION: Yes. Southern Bell and ALLTEL's Motions for Extension of Time to implement the \$.25 message plan on the routes specified above should be granted. Staff recommends that the implementation date be set for ninety (90) days after the MFJ waiver is granted by the Court for the Branford/Trenton, High Springs/Trenton, and Branford/Newberry routes (Docket No. 920270-TL).

STAFF ANALYSIS: On October 13, 1992, Southern Bell filed a Motion for Extension of Time until ninety (90) days after a waiver of the MFJ is granted in which to implement the \$.25 message plan on the Branford/Trenton, High Springs/Trenton and Branford/Newberry routes (Docket No. 920270-TL).

On November 5, 1992, ALLTEL filed a similar Motion for Extension of Time to mirror Southern Bell's motion. ALLTEL states that it cannot comply with the Commission's directive to implement the \$.25 plan on these routes until Southern Bell receives the necessary MFJ waiver.

Southern Bell and ALLTEL were granted an extension of time by Order No. PSC-92-0557-FOF-TL until a decision is made on Southern Bell's MFJ waiver request. The companies now request that this extension be modified to allow ninety (90) days after a waiver of the MFJ is granted by the Court before implementing these routes. Southern Bell states that under the terms of the Order No. PSC-92-0557-FOF-TL it would be required to implement the three routes immediately upon the entry by the Court of an Order granting the waiver request. Southern Bell contends that time will be needed after this Order is entered to make final preparations.

Staff recommends that Southern Bell and ALLTEL's Motions for Extension of Time be granted. The implementation date should be set for ninety (90) days after the MFJ waiver is granted by the Court for the Branford/Trenton, High Springs/Trenton, and Branford/Newberry routes (Docket No. 920270-TL).

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ISSUE 2: Should Southern Bell's Motion for Extension of Time in Docket No. 910529-TL (Pasco County) to implement the \$.25 message plan 120 days after the MFJ waiver is granted on the Brooksville/Hudson route and GTE Florida's Motion for Extension of Time to implement the \$.25 message plan 120 days after the MFJ waiver is granted on the Brooksville/Hudson, San Antonio /Tampa-North and Dade City/Tampa-North be approved?

RECOMMENDATION: Yes. Southern Bell and GTE Florida's Motions for Extension of Time to implement the \$.25 message plan on the routes specified above should be granted. Staff recommends that the implementation date be set for 120 days after the MFJ waiver is granted by the Court for the Brooksville/Hudson, San Antonio/Tampa-North, and Dade City/Tampa-North routes (Docket No. 910529-TL).

STAFF ANALYSIS: On October 20, 1992, Southern Bell filed a Motion for Extension of Time in which to implement the \$.25 message plan on the Brooksville/Hudson route (910529-TL). This interLATA route was ordered implemented by October 28, 1992. Southern Bell has not received a waiver of the MFJ and therefore cannot carry this interLATA traffic.

Southern Bell requests an extension of time of 120 days after a waiver of the MFJ is granted by the Court in which to implement the \$.25 message plan on the Brooksville/Hudson route. The Company contends that the construction required to implement the \$.25 plan on this route is unusually extensive, and it will require approximately 120 days to complete the preparations after the MFJ is granted.

On November 4, 1992, GTE Florida filed a Motion for Extension of Time to implement the Brooksville/Hudson (Southern Bell/GTE), San Antonio/Tampa-North (United/GTE) and Dade City/Tampa-North (United/GTE) routes (Docket No. 910529-TL) until 120 days after the requested MFJ waiver is granted. Of the requested extensions, one of the routes involves Southern Bell (Brooksville/Hudson) and the other two involve United Telephone (San Antonio/Tampa-North and Dade City/Tampa-North). Like Southern Bell, GTE Florida states that extensive construction must be completed before the \$.25 plans can be implemented.

United Telephone has filed a tariff (T-92-622) requesting Commission action on the remaining two \$.25 routes in this docket involving GTE Florida. They will be addressed in Docket No. 921166-TL.

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Staff recommends that Southern Bell and GTE's Motions for Extension Time be granted. The implementation date for the Brooksville/Hudson, San Antonio/Tampa-North and Dade City/Tampa-North should be set for one hundred-twenty (120) days after the MFJ waiver is granted by the Court for these routes (Docket No. 910529-TL).

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes, with the adoption of staff's recommendation in Issues 1 and 2, this docket should be closed. In the event that Southern Bell or GTE Florida's MFJ waiver requests are denied, each of the dockets will need to be readdressed by the Commission.

STAFF ANALYSIS: With the adoption of Issues 1 and 2, this docket should be closed. In the event that Southern Bell or GTE Florida's waiver requests are denied, staff will bring these dockets back before the Commission.

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