

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of ) DOCKET NO. 921166-TL  
tariff filing to implement the ) ORDER NO. PSC-92-1477-FOF-TL  
\$.25 message rate plan on the ) ISSUED: 12/21/92  
Dade City/Tampa-North and San )  
Antonio/Dade City routes by )  
UNITED TELEPHONE COMPANY OF )  
FLORIDA. )

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

ORDER DENYING TARIFF FILING  
AND EXTENDING IMPLEMENTATION DATE

BY THE COMMISSION:

By Order No. PSC-92-0158-FOF-TL, issued April 6, 1992, we proposed requiring GTE Florida Incorporated (GTEFL), BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell), and United Telephone Company of Florida (United) to implement the alternative toll relief plan known as the \$.25 plan between a number of exchanges in Hernando, Hillsborough, and Pasco Counties. In addition, we proposed requiring a survey of certain subscribers for implementation of nonoptional, flat rate, two-way calling between certain exchanges. No protest was filed to our proposal, so Order No. PSC-92-0158-FOF-TL became final on April 28, 1992.

The Order requires that the \$.25 plan be implemented by October 26, 1992, for some routes, and by January 1, 1993, for other routes. A number of the routes on which the \$.25 plan is to be implemented are interLATA routes served by either GTEFL or Southern Bell (or both). For these routes, a waiver of the Modified Final Judgment (MFJ) or Consent Decree, as appropriate, is required before the calling plan can be implemented.

On October 30, 1992, United filed a tariff to implement the \$.25 plan on a one-way basis from Dade City to Tampa-North and from San Antonio to Tampa-North. The Dade City and San Antonio exchanges are served by United, while the Tampa-North exchange is

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served by GTEFL. United states that since it is not bound by the Consent Decree, it remains under Commission order to implement the \$.25 plan.

Initially we note that there are a number of routes around the state where we have ordered the \$.25 plan to be implemented, but it has not been, pending the outcome of the MFJ/Consent Decree waiver requests by Southern Bell and GTEFL. In a similar situation in Docket No. 920866-TL, we denied a proposal to implement the \$.25 plan on a one-way basis. The intent of the \$.25 plan is to allow two-way, seven-digit local calling. We have not ordered routes to be implemented on a one-way basis in other dockets and do not intend to do so here. Accordingly, United's tariff proposal shall be denied.

GTEFL has been granted an extension of time in Docket No. 910529-TL to implement its portion of the calling plan on these routes until 120 days after the waiver is obtained. This extension of time was based on the extensive construction required to implement the calling plan. Upon consideration, we find it appropriate to extend the implementation date for these routes for United to the same date granted to GTEFL. Accordingly, United shall be given an extension of time until 120 days after GTEFL obtains a waiver of the Consent Decree to implement the \$.25 plan between Dade City and Tampa-North and between San Antonio and Tampa-North.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the tariff proposal filed on October 30, 1992, by United Telephone Company of Florida to implement the \$.25 plan on certain routes (T-92-622) is hereby denied for the reasons set forth herein. It is further

ORDERED that United Telephone Company of Florida shall be given an extension of time for implementation for the reasons and in the manner set forth herein. It is further

ORDERED that this docket is hereby closed.

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By ORDER of the Florida Public Service Commission this 21st  
day of December, 1992.

  
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 Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.