

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for extended ) DOCKET NO. 911185-TL  
area service between all ) ORDER NO. PSC-93-0736-FOF-TL  
exchanges within Volusia County ) ISSUED: May 13, 1993  
by Volusia County Council. )  
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The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
THOMAS M. BEARD  
SUSAN F. CLARK  
JULIA F. JOHNSON

ORDER GRANTING REQUEST FOR EXTENSION OF TIME

BY THE COMMISSION:

By Order No. PSC-92-0982-FOF-TL, issued September 11, 1992, we proposed requiring United Telephone Company of Florida (United) and BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell) to implement the alternative toll relief plan known as the \$.25 plan on a total of 24 routes within Volusia County. In addition, we proposed requiring a survey of certain other subscribers for implementation of nonoptional, flat rate, two-way, toll free calling between certain exchanges. No protest was filed to our proposal, so Order No. PSC-92-0982-FOF-TL became final on October 5, 1992. The Order requires that the \$.25 plan be implemented by April 5, 1993, on all affected routes.

By Order No. PSC-93-0444-FOF-TL, issued March 24, 1993, in Docket No. 930184-TL, we denied United's proposed tariff to implement the \$.25 one-way from the Orange City exchange to the Daytona Beach, New Smyrna Beach, Oak Hill, and Pierson exchanges. United was given an extension of time to implement these routes until such time as Southern Bell receives its requested waiver of the Modified Final Judgment (MFJ) and can implement its portion of these interLATA (local access transport area) routes.

On March 20, 1993, Southern Bell implemented 10 of the 24 ordered routes within Volusia County. All 10 of the routes are intraLATA. The interLATA routes which remain are: Daytona Beach/DeBary; Daytona Beach/Orange City; Daytona Beach/Sanford; DeBary/DeLeon Springs; DeBary/New Smyrna Beach; DeBary/Oak Hill; DeBary/Pierson; DeLeon Springs/Sanford; New Smyrna Beach/Orange City; New Smyrna Beach/Sanford; Oak Hill/Orange City; Oak Hill/Sanford; Orange City/Pierson; and Pierson/Sanford.

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On March 19, 1993, Southern Bell filed a Motion for Extension of Time in which to implement the \$.25 message plan on the routes listed above. Southern Bell states that it has filed for a waiver of the MFJ, but at the time of this Motion, it had not obtained the waiver. Southern Bell notes that it cannot lawfully implement the \$.25 message plan on the interLATA routes without the MFJ waiver and, therefore, requests that the implementation date of the routes listed above be postponed until 120 days after the MFJ waiver is obtained.

Upon consideration, we find it appropriate to extend the implementation date for these routes as requested by Southern Bell. Because of our concerns regarding the length of time the MFJ waiver requests have been pending in this and other dockets, we have directed our staff to file a motion to expedite the decision with the United States District Court. We have also sent a letter of concern to the United States Department of Justice.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Motion for Extension of Time filed on March 19, 1993, by BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company is hereby granted for the reasons and in the manner set forth herein. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission this 13th day of May, 1993.



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.