

FLORIDA PUBLIC SERVICE COMMISSION

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

M E M O R A N D U M

July 8, 1993

TO : DIRECTOR, DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF COMMUNICATIONS [SHELPER, WIDELL] *Widell*
DIVISION OF LEGAL SERVICES [GREEN] *Green*

RE : DOCKET NO. 870248-TL - RESOLUTION BY HOLMES COUNTY BOARD
OF COUNTY COMMISSIONERS FOR EXTENDED AREA SERVICE IN
HOLMES COUNTY, FLORIDA

DOCKET NO. 870790-TL - REQUEST BY GILCHRIST COUNTY
COMMISSIONERS FOR EXTENDED AREA SERVICE THROUGHOUT
GILCHRIST COUNTY

DOCKET NO. 900039-TL - RESOLUTION BY THE ORANGE COUNTY
BOARD OF COUNTY COMMISSIONERS FOR EXTENDED AREA SERVICE
BETWEEN THE MOUNT DORA EXCHANGE AND APOPKA, ORLANDO,
WINTER GARDEN, WINTER PARK, EAST ORANGE, REEDY CREEK,
WINDERMERE, AND LAKE BUENA VISTA EXCHANGES

DOCKET NO. 910022-TL - RESOLUTION OF BRADFORD COUNTY
COMMISSION REQUESTING EXTENDED AREA SERVICE WITHIN
BRADFORD COUNTY AND BETWEEN BRADFORD COUNTY, UNION COUNTY
AND GAINESVILLE

DOCKET NO. 910029-TL - REQUEST OF VOLUSIA COUNTY COUNCIL
FOR EXTENDED AREA SERVICE BETWEEN THE SANFORD EXCHANGE
(OSTEEN AND DELTONA) AND THE ORANGE CITY AND DELAND
EXCHANGES

DOCKET NO. 910528-TL - REQUEST BY PUTNAM COUNTY BOARD OF
COUNTY COMMISSIONERS FOR EXTENDED AREA SERVICE BETWEEN
THE CRESCENT CITY, HAWTHORNE, ORANGE SPRINGS, AND MELROSE
EXCHANGES, AND THE PALATKA EXCHANGE

DOCKET NO. 910529-TL - REQUEST BY PASCO COUNTY BOARD OF
COUNTY COMMISSIONERS FOR EXTENDED AREA SERVICE BETWEEN
ALL PASCO COUNTY EXCHANGES

AGENDA: JUNE 20, 1993 -- CONTROVERSIAL --PARTIES MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\CMU\WP\870248.RCM

DOCUMENT NUMBER-DATE

07325 JUL-83

PSC-RECORDS/REPORTING

CASE BACKGROUND

This Commission has recognized the need for toll relief on routes that showed a significant community of interest but did not meet all the rule requirements for nonoptional, flat rate, two-way EAS. Historically, the Commission has ordered some type of optional EAS plan (i.e. OEAS, EOEAS, and Toll-Pac) on these routes. Because the optional EAS plans, particularly OEAS plans, are somewhat confusing to customers, the additives or buy-ins are generally rather high, and the take rates for most OEAS plans are rather low, the Commission turned to a nonoptional message rated plan.

The \$.25 plan was initially implemented on the Quincy to Tallahassee route (Docket No. 890292-TL). The \$.25 plan gained such favor with customers that the Commission began receiving requests from petitioners for the \$.25 plan alone and not EAS (920642-TL). Since the implementation of message rate routes, 348 message/ECS routes have been implemented (ECS is rated at \$.25 per call for residential and business calls are rated \$.10 for the first minute and \$.06 for each additional minute). (See Table A, below.) Of those, 312 are intraLATA and 36 are interLATA. In addition, there are sixty-eight (68) message/ECS interLATA routes, which require a waiver from Judge Greene before they can be implemented. Judge Greene has ruled on thirty-six (36) of the routes and denied them all. No decision has been made on GTEFL's four (4) requests or the remaining twenty-eight (28) Southern Bell routes.

TABLE A
 MESSAGE/ECS PLANS IN EFFECT

	InterLATA	IntraLATA	Total
Mess. Rate 20¢	12	117	129
Mess. Rate 25¢	16	129	145
5 Free Calls + 20¢	8	0	8
ECS	0	66	66
Total	36	312	348

EAS INVESTIGATION DOCKET

July 8, 1993

In addition, the Commission has ordered the \$.25/ECS plan within the context of rate cases for intra-company, intraLATA routes with calling rates greater than 4 M/A/Ms. In the United Rate Case (910980-TL) the \$.25 plan was ordered on six (6) intraLATA routes, and ECS was ordered on four (4) intraLATA routes in the GTEFL Rate Case (Docket No. 920188-TL).

The \$.25 plan has also been used to resolve countywide calling problems. Prior to the Centel Rate Case (891246-TL), countywide calling was primarily handled on a case-by-case basis. In the Centel Rate Case, the Commission used available funds to order countywide calling (\$.25 plan) in Jackson, Holmes, Walton and Okaloosa counties (these counties had pending EAS dockets). The Commission approved requests by Volusia (911185-TL) and Highlands (920150-TL) counties for countywide calling (except for a pocket in the Okeechobee exchange within Highlands County). County requests by Charlotte (920666-TL) and Polk (920097-TL) counties for specific routes within a county were denied by the Commission.

However, with the order from Judge Greene to deny Southern Bell's request for a waiver of the interLATA restriction on seven dockets involving interLATA routes, it appears that the Florida Commission is hamstrung regarding interLATA routes which do not meet the criteria for flat rate EAS.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant Southern Bell and ALLTEL's Motions for Partial Modification on the interLATA routes for which Judge Greene has ruled that the \$.25 plan may not be implemented (dockets listed below in Table B)?

RECOMMENDATION: Yes, the Commission should grant these Motions.

STAFF ANALYSIS: The Commission has hit a stumbling block with Judge Greene's decision to deny Southern Bell's waiver to carry interLATA traffic on the ordered \$.25 plan routes. As a result of this decision, Southern Bell has filed Motions for Partial Modifications. These Motions request that the Commission partially modify the orders associated with these 38 routes to relieve Southern Bell of the obligation to implement the \$.25 plan on these routes. ALLTEL has also filed similar motions on the dockets that involve ALLTEL and Southern Bell. These dockets are listed below on Table B.

TABLE B

EAS DOCKETS JUDGE GREENE HAS DENIED

DOCKET NO.	TITLE
870248-TL	Graceville/Ponce Deleon Graceville/Defuniak Springs
910029-TL	Sanford/Deland
900039-TL	Orlando/Mt. Dora
870790-TL	Gilchrist County (3 routes)
910022-TL	Bradford County (3 routes)
910528-TL	Putnam County (7 routes)
910529-TL	Pasco County (2 GTE routes)

Although the \$.25 plan has seemed to be a good plan from the perspective of meeting community of interest needs, there is simply nothing we can do to change Judge Greene's order. It is reasonable to grant the request to modify the orders on these routes. As an aside, there are 32 other interLATA routes awaiting Judge Greene's decision. It is anticipated that he will deny these routes also.

EAS INVESTIGATION DOCKET

July 8, 1993

ISSUE 2: Should these dockets be closed?

RECOMMENDATION: Yes, they should be closed.

STAFF ANALYSIS: The Commission has been told that it cannot implement the plan it ordered on these interLATA routes. There is nothing more we can do. These dockets should be closed.