

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Rule 25-4.065,) DOCKET NO. 911065-TL
F.A.C., Countywide Calling) ORDER NO. PSC-93-1177-FOF-TL
_____) ISSUED: August 10, 1993

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
JULIA L. JOHNSON

ORDER CLOSING DOCKET

BY THE COMMISSION:

BACKGROUND

We decided at the February 4, 1992, agenda to hold a workshop to discuss the issues and criteria involved before making a decision on proposed Rule 25-4.065, F.A.C, Countywide Calling.

At the March 17, 1992, workshop, we postponed the countywide rule pending the conclusion of the Southern Bell Rate Case. It was anticipated that Southern Bell would file plans that would resolve some of the countywide calling issues. We were also not convinced that the countywide rule was warranted.

The hearing for the Southern Bell Rate Case has been postponed until January 1994. Requests for countywide calling are currently being handled on a case-by-case basis.

Even though Countywide calling has been implemented in several dockets (Franklin, Gilchrist, Gulf, Jackson, Holmes, Okaloosa, Walton and Volusia counties), countywide calling should be handled on a case-by-case basis, rather than by a blanket approval. Requiring counties to follow our current EAS rules when requesting countywide calling, requires the county to demonstrate why expanded calling is needed.

If the countywide rule were approved, any intracounty call would be priced at \$.25 per call or some form of per minute pricing (such as ECS), whether there was sufficient need or not. In addition, an exchange which crosses county boundaries would receive \$.25 calling to both counties (unless it involves an interLATA route, in which case other considerations would be reviewed).

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In recent countywide EAS requests, we have implemented the \$.25 plan on all intraLATA intracounty routes that did not qualify for nonoptional, flat rate, two-way EAS, regardless of the calling volumes (an exception has been small pockets). The \$.25 plan has gained favor because of its simplicity, its message rate structure, and the fact that it can be implemented as a local calling plan on an intraLATA basis. Since Judge Green's decision to deny Southern Bell's requests for waiver of the MFJ on interLATA routes, other alternatives for interLATA routes are being considered.

There is concern that a given countywide rule may not be suitable to all counties, since each county's community of interest factors vary. Some of the more rural counties may need local calling to another exchange for medical or shopping requirements, while others may need local calling to government facilities, or an airport. Some counties may have a primary exchange, which acts as the central business point for the surrounding exchanges, where local calling is warranted.

We believe that the current EAS mechanism is sufficient to resolve countywide calling problems. Handling the countywide EAS situation on a case-by-case basis is resulting in those counties with a true need for countywide calling filing requests and receiving toll relief.

In addition, countywide calling can be considered in the context of a rate case. When the LECs file rate cases, we can review the feasibility of implementing countywide calling. This will also afford us an opportunity to request community of interest data on each county to determine if a true community of interest exists.

The current EAS rules are in the process of being modified in Docket No. 930220-TL. Since the subject of community of interest factors is one of the areas being reviewed in this docket, any rule change that may be warranted for countywide calling can be done in this context.

In view of the above, it is

ORDERED that the countywide rule docket be closed.

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By ORDER of the Florida Public Service Commission this 10th
day of August, 1993.



STEVE TRIBBLE
Director of Records and Reporting

(S E A L)

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.