

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Review of extended area ) DOCKET NO. 930211-TL  
service between Geneva/East ) ORDER NO. PSC-93-1391-FOF-TL  
Orange and Sanford/East Orange ) ISSUED: 9/23/93  
by BELLSOUTH TELECOMMUNICATIONS, )  
INC. d/b/a SOUTHERN BELL )  
TELEPHONE AND TELEGRAPH COMPANY. )

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The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK  
JULIA L. JOHNSON  
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION  
ORDER DENYING TOLL RELIEF

BY THE COMMISSION:

In conjunction with certain other actions taken by Commission in Docket No. 880069-TL the Commission approved the implementation of Enhanced Optional Extended Area Service (EOEAS) on certain toll routes by BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company on January 1, 1989. EOEAS was authorized from Geneva and Sanford to the Orlando exchange. However, the Company's implementation of EOEAS from the Geneva and Sanford exchanges accidentally included the East Orange exchange (NXX 568). Therefore, residential customer subscribing to the optional premium plan had unlimited toll-free calling to both the Orlando exchange and the East Orange exchange.

Southern Bell, upon discovering that East Orange had been included in error, notified customers subscribing to the plan that East Orange would be discontinued effective February 1, 1993. Subsequently, the Commission's Consumer Affairs Division received several complaints about the service being discontinued.

By Order No. PSC-93-0545-FOF-TL, issued April 12, 1993, we required the Company to conduct traffic studies on the Sanford/East Orange and the Geneva/East Orange routes to determine if a sufficient community of interest exists for some type toll relief under the Commission rules. Southern Bell submitted the traffic study data on July 12, 1993.

Neither route qualifies for nonoptional, flat rate, two-way toll free calling pursuant to Rule 25-4.060, Florida Administrative

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ALL INFORMATION CONTAINED

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Code. Further, the messages per access lines (M/A/Ms) and the calling distribution are below the levels that would justify an alternative form of toll relief such as the hybrid \$.25 plan. Accordingly, we find it appropriate to deny any toll relief on the Geneva/East Orange and Sanford/East Orange routes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that no toll relief is appropriate on the Geneva/East Orange and Sanford/East Orange routes as set forth in the body of this Order. It is further

ORDERED that if no timely protest is filed according to the requirements set forth below this shall be closed.

By ORDER of the Florida Public Service Commission, this 23rd day of September, 1993.

STEVE TRIBBLE, Director  
Division of Records and Reporting

by: Kay Flynn  
Chief, Bureau of Records

( S E A L )

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Commissioner Lauredo dissented from the Commission's decision to deny toll relief on the Geneva/East Orange and Sanford/East Orange routes.

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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on October 14, 1993.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater 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 of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.