

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution by Santa Rosa) DOCKET NO. 930858-TL
County Commission for countywide) ORDER NO. PSC-93-1534-FOF-TL
extended area service (EAS)) ISSUED: October 19, 1993
within Santa Rosa County and EAS)
between Santa Rosa County and)
Escambia County.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

PROPOSED AGENCY ACTION

ORDER DENYING A PORTION OF REQUEST FOR EXTENDED AREA SERVICE

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

This docket was initiated pursuant to Resolution No. 93-26 (Resolution) filed by the Santa Rosa County Commission. Based on previous correspondence, we determined that the Santa Rosa County Commission requests extended area service (EAS) within Santa Rosa County, and between Jay and Pensacola. However, it is unclear whether the County also requests countywide EAS from all of Santa Rosa County to all of Escambia County. By Order No. PSC-93-1400-PCO-TL, issued September 27, 1993, we required Southern Bell to conduct traffic studies on all intra-county toll routes within Santa Rosa County and between Jay and Pensacola. This Order addresses the remaining routes within the two counties.

The purpose of EAS is to provide toll relief to those communities which exhibit a community of interest with one another. Initial review indicates that it is doubtful that all six of the exchanges within Santa Rosa County have a community of interest with all six of the exchanges in Escambia County. Traffic studies would determine whether there actually is a sufficient community,

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but we find that it would be a misuse of the LEC's resources to conduct such studies in response to a blanket regional EAS request.

Instead, we urge the Santa Rosa Commission to reevaluate its EAS request. If the County's intent is to request EAS for routes in addition to those within Santa Rosa County and between Jay and Pensacola, the Santa Rosa County Commission should file an amended Resolution which ranks the routes in order by need and community of interest. Such an amended Resolution should explain why these routes need toll relief. If the County does not seek additional routes, it need not file an amended Resolution.

Therefore, it is

ORDERED by the Florida Public Service Commission that the request for EAS from all of Santa Rosa County to all of Escambia County by the Santa Rosa County Commission is hereby denied. If the County seeks EAS for routes in addition to those within Santa Rosa County and between Jay and Pensacola, it should file an amended Resolution as described in the body of this Order. It is further

ORDERED that this docket shall remain open pending a final decision regarding EAS on the specifically identified routes proposed in this docket.

By ORDER of the Florida Public Service Commission this 19th day of October, 1993.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

by: Kay Flynn
Chief, Bureau of Records

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 November 9, 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.