

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 930980-TL
tariff filing to move territory) ORDER NO. PSC-93-1655-FOF-TL
from Bonita Springs exchange) ISSUED: November 12, 1993
into Fort Myers exchange by)
UNITED TELEPHONE COMPANY OF)
FLORIDA.)
_____)

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING TARIFF FILING

BY THE COMMISSION:

On August 31, 1993, United Telephone Company of Florida (United) filed a proposed tariff to reassign territory from the Bonita Springs exchange to the Fort Myers exchange. The property that United proposes to transfer is currently undeveloped land. However, this property, along with additional property already in the Fort Myers exchange, is slated to be developed as Corlico Village, which is expected to consist of 508 residential units and 240,000 square feet of commercial and retail space. According to United, by transferring the portion of the proposed development that is presently within the Bonita Springs exchange to the Fort Myers exchange, the entire project will be served from the same exchange.

The area to be transferred is located entirely within Lee County; therefore, E911 service will not be affected. Bonita Springs and Fort Myers have extended area service (EAS) to each other. Accordingly, no toll charges will apply when calling schools or governmental entities. Further, by reassigning this area to the Fort Myers exchange, future residents will receive a larger calling scope, with no increase in local rates. They will, however, lose EAS to the Naples and North Naples exchanges. The following chart compares the calling scopes of the Bonita Springs and Fort Myers exchanges:

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| EXCHANGE COMPARISON | | | | |
|---------------------|--------|---------|---------|---|
| EXCHANGES | R-1 | B-1 | PBX | CALLING SCOPE |
| Bonita Springs | \$9.48 | \$22.28 | \$44.53 | EAS - North Naples, Ft. Myers, Ft. Myers Beach, Naples |
| Fort Myers | \$9.48 | \$22.28 | \$44.53 | EAS - Cape Coral, Ft. Myers Beach, Lehigh Acres, N. Cape Coral, N. Ft. Myers, Pine Island, Sanibel-Captiva Island, Bonita Springs \$.25 plan - Immokalee |

In addition to the above, there is an existing subdivision in the Fort Myers exchange adjacent to the proposed Corlico Village. This development already has cable that can be extended into the Corlico Village with little additional investment. According to United, if Corlico Village is left in the Bonita Springs exchange, a substantial amount of additional investment in cable and electronics will be required.

Upon consideration, we believe that it is appropriate to reassign this area to the Fort Myers exchange. This will prevent having one subdivision served from two different exchanges. We also agree with United that Fort Myers is the most cost efficient exchange, both from the company's standpoint and that of the future residents, to serve the development. Accordingly, United's proposed tariff to reassign territory from the Bonita Springs exchange into the Fort Myers exchange is approved, with an effective date of October 30, 1993.

It is, therefore,

ORDERED by the Florida Public Service Commission that United Telephone Company of Florida's proposed tariff to reassign territory from the Bonita Springs to the Fort Myers exchange is hereby approved. It is further

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ORDERED that this tariff shall become effective on October 30, 1993. It is further

ORDERED that, unless a person whose interests are substantially affected by the tariff approved herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 12th day of November, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

RJP

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 Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida

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Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), 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 December 3, 1993.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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 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 date this Order becomes final, 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.