

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 940113-TL
tariff filing to reduce minimum) ORDER NO. PSC-94-0388-FOF-TL
service period for Frame Relay) ISSUED: April 4, 1994
Service from six months to one)
month by GTE FLORIDA)
INCORPORATED (T-94-040 FILED)
1/26/94)
_____)

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING TARIFF FILING

BY THE COMMISSION:

At the October 19, 1993 Agenda Conference, the Commission approved a tariff filing by GTE Florida, Incorporated (GTEFL or the Company) to introduce Frame Relay Service into the Company's General Subscriber Services Tariff. Frame Relay Service is a fast packet network service that permits the transmission of data at a speed of 56 kbps or 1.544 mbps. Under the current tariff, customers must subscribe to Frame Relay Service for a minimum contract period of six months. This Order addresses GTE's proposal to reduce the minimum contract period from six months to one month.

In the current Frame Relay Services tariff customers must subscribe to the service for a minimum contract period of six months. According to GTE, the six month contract period was a result of marketing strategy. Since the service's implementation in October of 1993, twelve customers have subscribed to a total of eighty lines to Frame Relay Service. The Company has received no indication from its current customers that they intend to cancel their service. Because of the current level of demand for Frame Relay Service the Company believes that the six month contract period is no longer needed. The Company's proposal involves no changes in rates nor any changes in the estimated costs of providing the service. Therefore, we approve this tariff filing because it is in the public interest.

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the tariff filing by GTE Florida Incorporated proposing to reduce the minimum service period for Frame Relay Service from six months to one month is approved as set forth in the body of this Order. It is further

ORDERED that this tariff shall be effective March 24, 1994. It is further

ORDERED that if a protest is filed in accordance with the requirement set forth below, the tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest. It is further

ORDERED that if no protest is filed in accordance with the requirement set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 4th day of April, 1994.

BLANCA S. BAYO, Director
Division of Records and Reporting

(S E A L)

WEW

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 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 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 April 25, 1994.

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.