

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 940936-TL
tariff filing to move a portion) ORDER NO. PSC-94-1194-FOF-TL
of the Bonita Springs exchange) ISSUED: September 29, 1994
into the Fort Myers exchange by)
UNITED TELEPHONE COMPANY OF)
FLORIDA (T-94-408 FILED 8/1/94))
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER TO MOVE A PORTION OF THE BONITA SPRINGS EXCHANGE
INTO THE FORT MYERS EXCHANGE

BY THE COMMISSION:

On August 1, 1994, United Telephone Company of Florida (United) filed a proposed revision to its General Exchange Tariff to move a portion of the Bonita Springs exchange into the Fort Myers exchange.

The affected portion of the Bonita Springs exchange has been purchased for use as a university. By transferring it, United will be able to serve the entire university from one exchange. There are currently no subscribers in the area to be transferred.

The Bonita Springs and Fort Myers exchanges have the same local rates (rate group 5). However, the calling scope varies significantly. Fort Myers has a larger calling scope than Bonita Springs and United notes that this will be beneficial to the university. Since both exchanges are located in Lee County, E911 will not be effected.

Since this boundary change will prevent the university (when built) from being served by two separate exchanges and since there are currently no customers, United's proposed tariff request to move a portion of the Bonita Springs exchange into the Fort Myers exchange is, hereby, approved.

DOCUMENT NUMBER+DATE

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Based on the foregoing, it is

ORDERED that United Telephone Company of Florida's tariff filing to move a portion of the Bonita Springs exchange into the Fort Myers exchange is approved. The effective date shall be September 30, 1994. It is further

ORDERED that if a protest is filed in accordance with the requirements set forth below, this tariff shall remain in effect with any increase in revenues held subject to refund pending the resolution of the protest. If no timely protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 29th day of September, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

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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

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petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on October 20, 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.