

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Approval of) DOCKET NO. 941132-TL
tariff filing to allow Contract) ORDER NO. PSC-94-1559-FOF-TL
Service Arrangements (CSAs) by) ISSUED: December 13, 1994
Gulf Telephone Company)
_____)

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 APPROVING TARIFF FILING TO ALLOW
CONTRACT SERVICE ARRANGEMENTS (CSAs) BY
GULF TELEPHONE COMPANY

On October 10, 1994, Gulf Telephone Company (Gulf or the Company) submitted a tariff filing seeking Commission approval to allow the Company to provide customer-specific contract service arrangements (CSAs), when there is a potential for uneconomic bypass of the Company's services. The Company has requested an effective date prior to November 30, 1994 which is less than the sixty (60) day provision of Section 364.05, Florida Statutes. Gulf has requested the shorter effective date, since the Company has a customer who has requested a CSA effective December 1, 1994.

The provisions of this filing are similar to those approved for other Florida local exchange companies. Customer-specific contract service arrangements are available in lieu of existing tariff offerings when there is a potential for uneconomic bypass of the Company's facilities. Uneconomic bypass occurs when an alternative service arrangement is utilized by the customer, in lieu of the local exchange company's service, at prices above the Company's incremental cost but below the tarified rates.

DOCUMENT NUMBER-DATE

12498 DEC 13 1994

FPSC-RECORDS/REPORTING

CSAs rates, charges, terms and regulations are developed on an individual case basis and include all relevant costs, plus an appropriate level of contribution. Costs for contract service arrangements include items, e.g.:

1. Labor, engineering and materials
2. Operating expenses, e.g., maintenance, administrative, etc.
3. Return on investment
4. Taxes
5. Depreciation
6. Any other identifiable associated cost.

CSAs apply to specific serving arrangements. This filing, if approved, will allow CSAs on the following General Services Tariff Sections:

1. 5.3 - Charges Applicable Under Special Conditions (Existing Special Arrangements)
2. 9 - Foreign Central Office Service & Foreign Exchange Service
3. 24 - Emergency Reporting Service - 911
4. 12 - Centrex
5. 16 - Data Service
6. 20 - Private Line Service & Channels

Given that this offering is similar to those authorized for other Florida local exchange companies, we find that this tariff filing shall be and is hereby approved with an effective date of November 29, 1994. The advanced effective date (less than the statutory 60 days) is approved to enable Gulf to meet the customer's need on December 1, 1994.

In consideration of the foregoing, it is

ORDERED by the Florida Public Service Commission that the tariff filing allowing Contract Service Arrangements by Gulf

ORDER NO. PSC-94-1559-FOF-TL
DOCKET NO. 941132-TL
PAGE 3

Telephone Company is hereby approved with an effective date of November 29, 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 resolution of the protest. It is further

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

By ORDER of the Florida Public Service Commission, this 13th day of December, 1994.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay DeLeon
Chief, Bureau of Records

(S E A L)

RVE

ORDER NO. PSC-94-1559-POF-TL
DOCKET NO. 941132-TL
PAGE 4

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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on January 3, 1995.

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.