

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation into the) DOCKET NO. 940235-TL
rates for interconnection of) ORDER NO. PSC-95-0390-PHO-TL
Mobile Service Providers with) ISSUED: MARCH 22, 1995
facilities of local exchange)
companies.)
_____)

Pursuant to Notice, a Prehearing Conference was held on March 3, 1995, in Tallahassee, Florida, before Commissioner Diane K. Kiesling, as Prehearing Officer.

APPEARANCES:

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On behalf of the Commissioners.

PREHEARING ORDER

I. CASE BACKGROUND

In Docket No. 870675-TL (hereafter, the mobile interconnection docket), the Commission investigated the interconnection of mobile carriers with facilities of Local Exchange Companies (LECs). That investigation culminated with the issuance of Order No. 20475 on December 20, 1988, in which the Commission approved a composite

mobile-to-land usage rate, which is the charge for mobile carrier interconnection with LEC facilities. The Commission also approved an optional land-to-mobile usage rate for mobile carrier interconnection with LEC facilities. This option allows intraLATA direct dialed long distance calls and expanded local calling area calls from telephone numbers served by the LEC and terminating in an MSP network to be excluded from the originating customer's bill. The result is that the mobile carrier pays for the call instead of the landline caller.

Specifically, the Commission ordered a composite usage rate for mobile-to-land traffic that consists of two components: a local component and a toll component. The Commission adopted a weighting ratio of 80% local and 20% toll for the purpose of calculating the composite usage rate. With respect to the optional land-to-mobile usage rate, the Commission ordered that this rate would be equal to the toll component of each LEC's composite usage rate. The toll components equate to the terminating switched access charges paid by Interexchange Carriers (IXCs) for traffic comparable to that of the mobile carriers. The Commission later approved modifications to the tariffs of Southern Bell and United Telephone which changed the Land to Mobile usage rate to originating access charges.

For the toll component, the Commission required LECs to use full switched access charges, including a per minute equivalent of the Busy Hour Minutes of Capacity (BHMOC). For the local component, LECs were required to use the traffic sensitive elements of intrastate switched access charges--local switching and local transport. These rates and rate structure were roughly equivalent to the rates approved for other interconnectors to the local network, i.e., PATS and STS providers. The Commission further required that the composite usage rates be adjusted when LEC switched access charges change.

On September 15, 1993, BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company (SBT or Company) filed a petition to disassociate certain mobile interconnection charges from switched access charges. On the same date, the Company filed a tariff (hereafter, the restructure tariff) which incorporated negotiated rates for Mobile Service Provider (MSP) network usage charges and which restructured the MSP tariff. These filings were considered in Docket No. 930915-TL.

Although the Commission recognized that changes in the industry and in switched access charges do have the potential to impact the validity of the formula, it found that SBT had not fully supported its Petition to disassociate the MSP network usage rates

from access charges. The formula is still useful for many of the reasons it was implemented. Additionally, the Commission found that the formula, which was established with input from many parties, should not be discarded on the basis of a Petition from one company. SBT's Petition has major implications for the mobile service provider industry throughout the state because the formula is used by the other LECs. The Commission acknowledged that there are forces which ultimately may render the MSP network usage charge formula obsolete. While it may be possible to continue the use of this formula in the short run, the Commission found that it is appropriate to examine the impact of impending changes on a statewide basis.

Accordingly, the Commission denied SBT's Petition and undertook a generic investigation in this docket to determine whether the formula for mobile service provider usage charges is still appropriate, or whether it should be abandoned, or replaced with a revised formula.

II. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

A. Any information provided pursuant to a discovery request for which proprietary confidential business information status is requested shall be treated by the Commission and the parties as confidential. The information shall be exempt from Section 119.07(1), Florida Statutes, pending a formal ruling on such request by the Commission, or upon the return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been used in the proceeding, it shall be returned expeditiously to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of the proceeding, it shall be returned to the person providing the information within the time periods set forth in Section 364.183(2), Florida Statutes.

B. It is the policy of the Florida Public Service Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 364.183, Florida Statutes, to protect proprietary confidential business information from disclosure outside the proceeding.

In the event it becomes necessary to use confidential information during the hearing, the following procedures will be observed:

- 1) Any party wishing to use any proprietary confidential business information, as that term is defined in Section 364.183, Florida Statutes, shall notify the Prehearing Officer and all parties of record by the time of the Prehearing Conference, or if not known at that time, no later than seven (7) days prior to the beginning of the hearing. The notice shall include a procedure to assure that the confidential nature of the information is preserved as required by statute.
- 2) Failure of any party to comply with 1) above shall be grounds to deny the party the opportunity to present evidence which is proprietary confidential business information.
- 3) When confidential information is used in the hearing, parties must have copies for the Commissioners, necessary staff, and the Court Reporter, in envelopes clearly marked with the nature of the contents. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.
- 4) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise the confidential information. Therefore, confidential information should be presented by written exhibit when reasonably possible to do so.
- 5) At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the Court Reporter shall be retained in the Commission Clerk's confidential files.

Post-hearing procedures

Rule 25-22.056(3), Florida Administrative Code, requires each party to file a post-hearing statement of issues and positions. A

summary of each position of no more than 50 words, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of the prehearing order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 50 words, it must be reduced to no more than 50 words. The rule also provides that if a party fails to file a post-hearing statement in conformance with the rule, that party shall have waived all issues and may be dismissed from the proceeding.

A party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than 60 pages, and shall be filed at the same time. The prehearing officer may modify the page limit for good cause shown. Please see Rule 25-22.056, Florida Administrative Code, for other requirements pertaining to post-hearing filings.

III. PREFILED TESTIMONY AND EXHIBITS

Testimony of all witnesses to be sponsored by the parties has been prefiled. All testimony which has been prefiled in this case will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to appropriate objections. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. After all parties and Staff have had the opportunity to object and cross-examine, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer.

IV. ORDER OF WITNESSES

<u>Witness</u>	<u>Appearing For</u>	<u>Issues #</u>
<u>Direct</u>		
John Giannella	McCaw	1, 8, 9, 10 & 16
Kurt C. Maass	McCaw	2-17

<u>Witness</u>	<u>Appearing For</u>	<u>Issues #</u>
<u>Direct</u>		
Carl V. Povelities	GTE Mobilnet	
William Cabrera	FMCA	All
Lester B. Biddle	FMCA	10, 11, 12, 13, & 15
Lance C. Norris	FPTA	14
Charles F. Bailey	GTEFL	All
F. Ben Poag	United/Centel	All
Nancy H. Sims	Southern Bell	All
<u>Rebuttal</u>		
William Cabrera	FMCA	2, 3, 13, (Southern Bell digital trunk termination charges only) and 14.
Lester B. Biddle	FMCA	10, 13, (Southern Bell MATR/minimum charge proposal and CAR proposal only) and 15
Kurt C. Maass	McCaw	2-17
Charles Bailey	GTEFL	All
F. Ben Poag	United/Centel	All
Nancy H. Sims	Southern Bell	Aspects of the testimony of FMCA's witnesses, and McCaw Cellular's witness, Kurt Mass

V. BASIC POSITIONS

ALLTEL: The rates for interconnection and other services should be company specific and negotiable between the involved parties, with Commission involvement only to arbitrate when the parties cannot reach agreement.

BMI: BMI believes that the current rates, terms and conditions for mobile access rates are appropriate. The Commission should be aware, however, that in previous negotiations BMI has agreed to different rates, terms and conditions as also being appropriate. BMI recognizes that future negotiations might lead to better arrangements to which it might agree, although BMI has no position as to what those different rates, terms and conditions might be.

FMCA: FMCA membership is comprised of paging carriers throughout Florida. Paging Carriers provide, through their interconnection with local exchange companies, one-way communications service for calls made primarily from landline telephones to paging devices carried by customers of the paging company. Paging customers do not originate traffic back through the LEC to landline numbers. FMCA's members believe that the Commission should continue its regulation of mobile carrier interconnections through the tariff process. The present usage rate design methodology for mobile carriers based on switched access rates has worked as intended by the Commission in Order No. 87050 and, with some modification, should be retained. In the absence of an alternative methodology, the present rate structure should be kept.

FPTA: FPTA is proffering a witness in this docket in order to convey its position on Issue Number 14, as set forth below. FPTA takes no position on any of the other issues being adjudicated in this docket.

GTEFL: GTEFL contends that mobile access rates should be detariffed and that LECs and MSPs should be provided the freedom to negotiate interconnection arrangements and rates in lieu of the tariffing process. Permitting the parties to negotiate such arrangements benefits all parties involved; the MSPs can take advantage of more flexible interconnection arrangements while LECs will be eased of the burden of filing, maintaining and updating tariffs.

In the alternative, if the Commission refuses to permit detariffing, GTEFL recommends that the methodology for developing the rates for mobile interconnection service be revised. Specifically, GTEFL contends that the existing link between switched access and mobile access rates be severed. Switched and

mobile access services are different from each other. Wireless services are predominantly intraLATA in nature and are increasingly being viewed as substitutes for local exchange service. This is especially true with the advent of personal communications services (PCS). By contrast, switched access service is predominantly interLATA in nature and is a supplement to, not a substitute for, local exchange service.

Because switched access services are different from mobile access services, LECs should not be required to price them as if they were identical. Rather, LECs should be authorized to establish price floors (based on long run incremental costs) specifically for mobile interconnection service and then be granted the freedom to set mobile access rates independent of switched access rates.

Additionally, even if the Commission continues to regulate mobile interconnection rates, a streamlined process should be developed to enable LECs to respond quickly to a rapidly changing wireless environment.

GTE MOBILNET: Cellular interconnection rates should be negotiated between the cellular carrier and each local exchange company. This approach has worked in numerous other states such as North Carolina, Ohio and California. If the Commission does not believe it is appropriate to move to negotiated rates, GTE Mobilnet supports continuation of the current methodology for determining cellular interconnection rates established in Order No. 20475, clarified and affirmed on reconsideration in Order No. 20979.

MCCAW: The interconnection policies adopted by this Commission in 1988 have worked exceptionally well for Florida consumers, the mobile carriers, and the local exchange companies ("LECs"). With two changes that are necessary to fine tune the system, implementation of a separate Type 2B rate and mutual compensation, the current policies should continue to serve the needs of the wireless industry for the remainder of the century.

SOUTHERN BELL: Local Exchange Companies should have the flexibility to negotiate the rates, terms and conditions of interconnection for mobile service providers. The interconnection needs of mobile service providers vary and LECs, therefore, need the ability to negotiate and modify their interconnection arrangements as necessary to serve all types of mobile service providers (MSPs).

UNITED/CENDEL: The rates for interconnection and other services should be company specific and negotiable between the involved parties, with Commission involvement only to arbitrate when the parties cannot reach agreement.

OPC: The Citizens wish to hear and consider all evidence from the hearing before taking an overall position in this case.

FPSC: None pending discovery.

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions.

VI. ISSUES AND POSITIONS

ISSUE 1: What types of interconnection are available between a LEC and a mobile carrier? How are such interconnections technically configured? (Informational issue) (WIDELL)

ALLTEL: ALLTEL offers Type 1, Type 2A, and Type 2B interconnection to mobile carriers.

BMI: Interconnection facilities between the mobile switching center and the LEC network include Type 1, Type 2A, Type 2A-CCS7, Type 2B and Type 2D. Interconnections are technically configured in accordance with Bellcore standards.

FMCA: The basic forms of mobile carrier interconnection are Type 1 and Type 2A, with additional types identified in issues 6 through 9 herein and in Southern Bell's present mobile carrier tariff. The technical configuration of those forms of interconnection are detailed in BellCore technical publications.

FPTA: No position.

GTEFL: Currently, GTEFL offers the following eight interconnection types in its tariff:

1. **Mobile Service Dial Line.** This is a two-wire line side connection from an end office and is similar to the connections used by business and residence lines.

2. **Type 1.** This is a trunk-side interconnection between a wireless carrier and a LEC end office and is used for the purpose of originating and/or terminating traffic to/from the MSPs.
3. **Type 2A.** This is a trunk-side connection between a wireless carrier and an access tandem office used for the purpose of originating and/or terminating traffic.
4. **Type 2B.** This is a trunk-side connection between a wireless carrier and a LEC end office. A Type 2B interconnection is intended primarily for high volume offices and typically is used by the wireless carrier in conjunction with a Type 2A interconnection.
5. **Type 2D (*SIP).** This interconnection (referred to by GTEFL as Star Information Plus) is a direct connection between the wireless carrier and the GTEFL Operator Services System (OSS) switch for the purpose of providing telephone numbers and addresses maintained in GTE's Listing Service Database (LSDB). GTE has received permission from the Commission to offer this service under contract due to its competitive nature.
6. **Type 2T (Type 2A-Equal Access).** This is a trunk-side connection between a mobile carrier's point of termination and a GTE access tandem used for the purpose of routing equal access traffic from the MSPs to the interexchange carriers (ICs).
7. **Type 2A-SS7.** This is a standard 2A interconnection with out-of-band signalling instead of in-band signalling.
8. **Type 2T-SS7.** This is a standard 2T interconnection with out-of-band signalling instead of in-band signalling.

GTE MOBILNET: GTE Mobilnet agrees with the testimony presented by McCaw witness John Gianella on this issue and, therefore, adopts McCaw's position on this issue.

MCCAW: The current types of interconnection are: Type 1 (mobile switch to LEC end offices for LATA-wide terminations); Type 2A (mobile switch to LEC tandem for LATA-wide terminations); Type 2A-

CCS7 (Type 2A with SS7 interconnectivity); Type 2B (mobile switch to LEC end office for dedicated end office terminations); Type 2C (mobile switch to 911 services), and Type 2D (mobile switch to LEC operator services).

SOUTHERN BELL: Southern Bell currently offers Dial Lines, One-Way Outpulsing of Digits Circuits (Direct Inward Dialing Trunks), Type 1 Interconnection, Type 2A Interconnection, Type 2B Interconnection, Type 2A-CCS7 Interconnection and Operator Services Interconnection (Type 2D).

Dial Lines are defined as line side connections to an end office that are two wire circuits using loop or ground start supervision with either Dial Pulse (DP) or Dual Tone Multifrequency (DTMF) address pulsing.

Direct Inward Dialing (DID) Trunks are trunk side connections using reverse battery supervision with either DP or DTMF address pulsing, controlled by wink start operation.

Type 1, Type 2A and Type 2B Interconnections are direct trunk connections between an MSP's P.O.T. and the trunk side of a company end office (Type 1 and Type 2B) or a company tandem switch (Type 2A).

Type 2A-CCS7 Interconnection is a direct trunk connection between a Mobile Service Provider's (MSP) Point of Termination (P.O.T.) and the trunk side of a company tandem switch using out of band signaling. This interconnection incorporates common channel signaling using signaling system 7 (CCS7).

The Operator Services Interconnection (Type 2D) is direct trunk connection between an MSP's switching equipment and a company's traffic operator position system (TOPs) tandem switch.

UNITED/CENTEL: United and Centel offer Type 1, Type 2A, and Type 2B interconnection to mobile carriers.

OPC: No position.

FPSC: Informational issue only.

ISSUE 2: Should Mobile Service Provider (MSP) network interconnection rates, terms and conditions be negotiated between individual LECs and MSPs? If so, what criteria, if any, should be followed by the parties. (MARSH)

ALLTEL: Yes. Interconnection rates, terms and conditions should be negotiated between the parties involved. To the extent possible, the network interconnection rates, terms and conditions for MSPs should be consistent with the rates, terms and conditions LECs charge other MSPs for similar interconnection services.

BMI: Negotiations are appropriate so long as FCC guidelines are observed.

FMCA: No. It is in the public interest that the rates, terms and conditions of mobile carrier interconnection be established by the Commission and embodied in tariffs on file with the Commission. The LECs and mobile carriers are free to negotiate, and indeed are compelled by FCC dictates to negotiate, interconnection issues that arise before turning to the Commission for guidance or resolution of remaining disputed issues.

FPTA: No position.

GTEFL: MSP network interconnection rates, terms and conditions should be detariffed and negotiated on a good faith basis between individual LECs and MSPs. If such rates are detariffed, MSPs will benefit because interconnection arrangements can be customized to fit their particular needs. Such a method promotes the rapid introduction of new services and accommodates multiple technologies used by the MSPs.

GTE MOBILNET: Yes. MSP network interconnection rates, terms and conditions should be negotiated between individual LECs and MSPs based on each individual LEC's cost of each specific type of interconnection.

MCCAW: Negotiations are appropriate if a party wants to add, delete, or make a change to the current interconnection arrangements. The beginning point for any negotiations should be the status quo. It is inappropriate to abandon policies that have worked so well for seven years and then direct the parties to negotiate from a blank slate. While the parties should be able to negotiate changes in the tariff, the PSC should resolve any issues that cannot be successfully negotiated.

SOUTHERN BELL: Yes. Southern Bell recommends its practice of holding meetings between the parties in order to identify the issues that are important to each party and to work toward resolution of those issues. Any other criteria for negotiation should be established by the parties during the negotiation process.

UNITED/CENTEL: Yes. Interconnection rates, terms and conditions should be negotiated between the parties involved. To the extent possible, the network interconnection rates, terms and conditions for MSPs should be consistent with the rates, terms and conditions LECs charge other interconnectors for similar interconnection services.

OPC: No position at this time.

FPSC: The Commission should continue to establish network interconnection rates, terms and conditions. However, if the parties wish to negotiate certain elements of interconnection, they are not precluded from doing so.

ISSUE 3: Should MSP rates, terms and conditions be established by the Commission? If so, should the usage rates continue to be based on intrastate switched access charges? If not, what criteria should be followed? (NORTON)

ALLTEL: No. As long as the parties are able to negotiate the rates, terms and conditions, the Commission should not be involved. If the parties cannot reach agreement, the Commission should serve to arbitrate any rates, terms and/or conditions that the parties cannot negotiate.

BMI: Rates, terms and conditions should be negotiated. If those negotiations fail with respect to specific elements, then the Commission should establish the disputed rates, terms and conditions.

FMCA: Yes. (See position on Issue 2 above.) Yes. The rate methodology adopted by the Commission almost seven years ago in Order No. 20475 has performed well as a rate-making tool and merits retention. Recent modifications of the switched access charge structure do require corresponding modification of the mobile carrier rate formula, but do not warrant a total rejection of the methodology.

FPTA: No position.

GTEFL: GTEFL contends that MSP rates should be detariffed. As noted above, GTEFL believes that LECs and MSPs should be permitted to negotiate interconnection agreements in lieu of the tariff process. However, if detariffing is not granted, the rates should not continue to be based on intrastate switched access charges. Instead, price floors (based on long-run incremental costs) should be established specifically for mobile interconnection service.

GTE MOBILNET: MSP rates, terms and conditions should be established by the Commission only if the parties fail to reach a negotiated agreement. If an agreement cannot be reached, usage rates should continue to be based on intrastate switched access charges consistent with Order Nos. 20475 and 20979. If the Commission determines that the methodology under Order Nos. 20475 and 20979 is no longer appropriate, interconnection costs should be based on each individual LEC's costs of each specific type of interconnection.

MCCA: Overall, the current interconnection policies established by the Commission, including the linkage of the usage rate to access charges, remain appropriate. If the linkage with access is broken, rates should be calculated on the cost of service plus a reasonable contribution to overhead, as is the current policy on NXX establishment charges.

SOUTHERN BELL: No, the Commission's role should be limited to resolving specific issues that the parties cannot successfully negotiate. In no event should usage rates continue to be based on the formula adopted by the Commission in 1988.

UNITED/CEN: No. As long as the parties are able to negotiate the rates, terms and conditions, the Commission should not be involved. If the parties cannot reach agreement, the Commission should serve to arbitrate any rates, terms and/or conditions that the parties cannot negotiate.

OPC: No position at this time.

FPSC: Per Issue 2, if parties are unable to come to an agreement among themselves, then the Commission should establish the rates, terms and conditions of service for mobile service providers. No position on whether or to what degree usage rates should continue to be based on an access-based formula, pending receipt of discovery.

ISSUE 4: Are the current rates, terms and conditions for Type 1 interconnection appropriate? If not, how should they be changed?
(SMITH)

ALLTEL: No. The current rates, terms and conditions are not appropriate. The Mobile-to-Land rates should be company-specific to recover the costs involved with the termination of intraLATA toll under the depooling arrangement.

BMI: Yes. The Commission should be aware, however, that in previous negotiations BMI has agreed to different rates, terms and conditions for Type 1 interconnection as also being appropriate. BMI recognizes that future negotiations might lead to better arrangements to which it might agree, although BMI has no position as to what those different rates, terms and conditions might be.

FMCA: Yes. The Type 1 rates, terms and conditions have generally proven to be reasonable and appropriate.

FPTA: No position.

GTEFL: Ideally, GTEFL believes these rates should be detariffed. However, if no detariffing is permitted, the existing linkage between mobile interconnection rates and switched access rates should be severed. Specific price floors, based on long run incremental costs, should be established for this option.

GTE MOBILNET: Yes.

MCCAW: The current Type 1 rates, terms and conditions are appropriate so long as the link with access charges remains in effect.

SOUTHERN BELL: No, current rates for Type 1 interconnection have been driven too low by the current formula. Usage rates should be negotiated by the parties.

UNITED/CENTEL: No. The current rates, terms and conditions are not appropriate. The Mobile-to-Land rates should be changed to reflect the FPSC's approval on November 30, 1994, of the access charge local transport restructure.

OPC: No position at this time.

FPSC: No position at this time pending receipt of discovery.

ISSUE 5: Are the current rates terms and conditions for Type 2A interconnection appropriate? If not, how should they be changed?
(NORTON)

ALLTEL: No, the Type 2A usage rates for ALLTEL should be the same as the Type 1 rates proposed above.

BMI: Yes. The Commission should be aware, however, that in previous negotiations BMI has agreed to different rates, terms and conditions for Type 2A interconnection as also being appropriate.

BMI recognizes that future negotiations might lead to better arrangements to which it might agree, although BMI has no position as to what those different rates, terms and conditions might be.

FMCA: Yes. The Type 2A rates, terms and conditions have generally proven to be reasonable and appropriate.

FPTA: No position.

GTEFL: Ideally, GTEFL believes these rates should be detariffed. However, if no detariffing is permitted, the existing linkage between mobile interconnection rates and switched access rates should be severed. Specific price floors, based on long run incremental costs, should be established for this option.

GTE MOBILNET: Yes.

MCCAW: The current Type 2A rates, terms, and conditions are appropriate so long as the link with access charges remains in effect.

SOUTHERN BELL: No, current rates for Type 2A interconnection have been driven too low by the current formula. Usage rates should be negotiated by the parties.

UNITED/CENDEL: No, the Type 2A usage rates for Centel and United should be the same as the Type 1 rates proposed above.

OPC: No position at this time.

FPSC: The current facilities charges for this type of interconnection should not be changed in this proceeding.

ISSUE 6: Are the current rates, terms and conditions for Type 2A-CCS7 interconnection appropriate? If not, how should they be changed? (MARSH)

ALLTEL: Type 2A-CCS7 interconnection is not currently available for ALLTEL.

BMI: No position at this time.

FMCA: No. Type 2A using CCS7 signaling is a more efficient form of interconnection than Type 2A interconnection without CCS7. Therefore, the total rate for Type 2A-CCS7 should be lower than for Type 2A without CCS7 signaling.

FPTA: No position.

GTEFL: The rates for Type 2A with SS7 signalling interconnection should be the same as a regular Type 2A interconnection. If the wireless carriers desire CCS7 links and ports for the out-of-band signalling in conjunction with their interconnection arrangement, GTEFL believes the rates should continue to be the same as those in GTEFL's intrastate access tariff.

GTE MOBILNET: Yes.

MCCAWE: The current Type 2A-CCS7 rates should be modified. For the facilities charges, because both the landline and cellular carriers benefit from the greater signaling efficiencies, both should share the facilities costs instead of the cellular carrier paying for all of the facilities. For Type 2A-CCS7 usage, the current rates, terms and conditions are appropriate so long as the link with access charges remains in effect.

SOUTHERN BELL: No, current rates for Type 2A-CCS7 are too low. Once the technical capability to measure usage on these type trunks becomes available, the same usage rates applicable for Dial Lines, Type 1, and Type 2A should be used.

UNITED/CENTEL: Type 2A-CCS7 interconnection is not currently available for United or Centel.

OPC: No position at this time.

FPSC: No position at this time pending receipt of discovery.

ISSUE 7: Should there be a separate rate for Type 2B interconnection? If so, what should be the rates, terms and conditions for Type 2B interconnection? (NORTON/WIDELL)

ALLTEL: No. The Type 2B usage rates should be the same as the Type 1 rates proposed above.

BMI: Yes. The rates, terms and conditions for Type 2B interconnection should be negotiated.

FMCA: Yes. There should be a separate rate for Type 2B interconnection that recognizes the lower costs incurred by LECs to provide this service that is limited to traffic originating and terminating in NXXs served by the single central office from which the Type 2B interconnection is provisioned.

FPTA: No position.

GTEFL: GTEFL contends that a separate rate should be imposed for Type 2B interconnection. The rate for this type of interconnection should be lower than the Type 1/2A rates because the Type 2B interconnection only provides access to the office of interconnection. As such, there is no transport or tandem switching associated with this type of interconnection. By contrast, Types 1/2A provide access to other offices and consequently include a transport and a tandem switching component.

GTE MOBILNET: Yes. There should be a separate, lower rate for Type 2B interconnection because the cost of providing Type 2B is less than the cost of providing Type 1 and Type 2A interconnections. GTE Mobilnet has no position at this time concerning the appropriate rate for Type 2B interconnection.

MCCAW: The current Type 2B rates are not appropriate because they are the same as the Type 1 and 2A rates even though Type 2B is a more efficient form of interconnection. For Type 2B, only the original end office switching access charge rate element should apply subject to any access reductions. Since the Type 2B call terminates in the receiving end office, switching is the only function provided by the LEC.

SOUTHERN BELL: Yes. An appropriate rate should be negotiated between the individual LEC and the MSPs.

UNITED/CENDEL: No. The Type 2B usage rates should be the same as the Type 1 rates proposed above.

OPC: No position at this time.

FPSC: The current facilities charges for this type of interconnection should not be changed in this proceeding.

ISSUE 8: Should there be a separate rate for Type 2C interconnection (direct interconnection to a 911 tandem switch)? If so, what should be the rates, terms and conditions for Type 2C interconnection? (NORTON) **By agreement of the parties, this issue has been deleted.**

ISSUE 9: Should there be a separate rate for Type 2D interconnection (direct interconnection to a Traffic Operator Position System (TOPS) tandem switch)? If so, what should be the rates, terms and conditions for Type 2D interconnection? (NORTON)

ALLTEL: Type 2D interconnection is not currently available for ALLTEL.

BMI: Yes. The rates, terms and conditions for Type 2D interconnection should be negotiated.

FMCA: Yes. FMCA believes there should be a separate tariff offering and rate for Type 2D interconnection. The rates, terms and conditions for that interconnection should be established in such a way that carriers not subscribing to the service do not incur any costs associated with the service.

FPTA: No position.

GTEFL: There should be a separate rate for Type 2D interconnection. The functional capability of this type of interconnection is different from other forms of interconnection and therefore should be rated differently. The Type 2D interconnection utilizes an operator who provides operator services, directory assistance information, and optional call completion. In contrast to other types of interconnection, GTEFL believes that the Type 2D interconnection should be billed on a per-event basis and continue to be offered under a contract basis due to its competitive nature.

GTE MOBILNET: Yes. GTE Mobilnet has no position at this time concerning the appropriate rate for Type 2D interconnection.

MCCAW: The current Type 2D rates, terms, and conditions are appropriate so long as the link with access charges remains in effect.

SOUTHERN BELL: Usage rates for mobile originated traffic over Type 2D interconnection should be the same as usage rates for mobile originated traffic using Dial Lines, Type 1, and Type 2A interconnection. Currently, the usage rate is too low.

UNITED/CENDEL: Type 2D interconnection is not currently available for United or Centel.

OPC: No position at this time.

FPSC: The current facilities charges for this type of interconnection should not be changed in this proceeding.

ISSUE 10: Are current rates, terms and conditions for NXX establishment charges appropriate? If not, how should they be changed? (SMITH)

ALLTEL: No position.

BMI: No position at this time.

FMCA: No. The NXX establishment charges of all LECs should be removed from the tariffs of each of the LECs. As co-equal co-carriers, mobile carriers should not be charged for initiation of service using NXX codes that do not belong to the LECs; the LECs serve only as code administrators under BellCore-approved procedures. LECs do not impose charges on other LECs when other LECs open a new NXX within a common NPA or LATA. If charges are to be assessed, the NXX charges of all LECs should be reduced in recognition of the significantly lower costs incurred by the LECs with today's digital network technology.

FPTA: No position.

GTEFL: These rates are not appropriate. The existing rates, based on the last study conducted, are too low because they do not reflect increases in labor rates and the increases in the number of offices requiring updates.

GTE MOBILNET: No. If the Commission decides that it is appropriate to impose NXX establishment charges on MSPs, such charges should be cost-based.

MCCAW: There should be no NXX establishment charge because the LECs do not charge each other for this service. If a charge is required, the Commission's original policy decision remains valid today -- the rates should recover only each LEC's direct costs plus a 15% contribution for the joint and common costs; such rates should be reset at least every two years on the basis of a new cost study.

SOUTHERN BELL: The current terms and conditions for NXX establishment are appropriate. In accordance with the Commission's 1988 order, the current rate should be adjusted to reflect changes in Southern Bell's provisioning costs.

UNITED/CENTEL: The current rates were based on costs. United supports a revisiting of the costs associated with the establishment of NXX codes and an adjustment in rates as appropriate following the review of such cost studies.

OPC: No position at this time.

FPSC: No, the current rates, terms and conditions are not appropriate. There should be a minimal charge for administrative costs, but no charge for NXX establishment.

ISSUE 11: Are current rates, terms and conditions for the Land-to-Mobile option appropriate? If not, how should they be changed? (SMITH)

ALLTEL: No position.

BMI: Yes. Any proposed changes to these rates, terms and conditions should be negotiated.

FMCA: The current Land to Mobile rates, terms and conditions are generally reasonable and appropriate. The use of a multiplier or factor for call set-up in United Telephone's calculation of usage minutes, which adds 18.42 seconds to each and every Land to Mobile call, regardless of duration, is unreasonable and unfounded. Unless substantiated by credible cost data, the United set-up factor should be removed.

FPTA: No position.

GTEFL: Ideally, GTEFL believes these rates should be detariffed. However, if no detariffing is permitted, the existing linkage between mobile interconnection rates and switched access rates should be severed. Specific price floors, based on long run incremental costs, should be established for this option. Moreover, GTEFL maintains that it is inappropriate to utilize the terminating CCL rate in calculating the land-to-mobile reverse billing rate. Rather, GTEFL contends that the originating CCL rate should be used in this calculation because the land-to-mobile traffic is originating traffic with respect to the LECs' network. Furthermore, there potentially is a need to reexamine the land-to-mobile option if 1+ presubscription is approved. Issues such as how to administer the option and how to handle the churn when land line end users will be able to change their toll provider at will need to be addressed.

GTE MOBILNET: Yes, the current rates, terms and conditions for Land-to-Mobile option are appropriate.

MCCA: The current land-to-mobile option rates, terms, and conditions are appropriate so long as the link with access charges remains in effect.

SOUTHERN BELL: No. Usage rates should be negotiated between individual LECs and MSPs using originating switched access rates as a benchmark. A nonrecurring charge should be applied for activity required to implement this option for MSPs. In order to ensure that the cost for call set up is recovered on short duration LTM calls, a minimum charge per call should be applied to LTM calls.

UNITED/CENDEL: No, the current rates for the Land-to-Mobile option are not appropriate. The rates are tied to access rates, and should be modified as discussed in issue no. 4.

OPC: No position at this time.

FPSC: No position at this time pending receipt of discovery.

ISSUE 12: Are current rates, terms and conditions for DID Number Charges appropriate? If not, how should they be changed? (SMITH)

ALLTEL: No position.

BMI: No position at this time. However, BMI agrees that there should be no incentive to subscribe to 100 groups of 100 numbers rather than a full NXX.

FMCA: No. The DID Number charges should be removed. The recurring cost associated with maintaining NXX numbers once assigned to mobile carriers - usually in blocks of several hundred or several thousand numbers is minuscule. The charges should be removed from the tariff.

FPTA: No position.

GTEFL: GTEFL does not believe that the current rates for DID Number Charges are appropriate. If the service is not detariffed as proposed, GTEFL contends that the DID Number Charges for MSPs (rate elements and rates on page 5.1 of Section A.20 of its General Services Tariff) be replaced with a reference to section A13.20, page 15 of its General Services Tariff (local DID service). This will ensure that the local and wireless DID Number offerings have the same rates.

GTE MOBILNET: No position at this time.

MCCAW: The current rates, terms, and conditions for DID number charges are appropriate.

SOUTHERN BELL: No. The current rate structure should be changed. Furthermore, the nonrecurring charges for the groups of shared NXXs should be priced to cover cost and to eliminate the incentive for MSPs who have the need for a full NXX to subscribe to 100 groups of 100 numbers from a shared NXX.

UNITED/CENDEL: United/Centel propose to align the tariffs for the two companies.

OPC: No position at this time.

FPSC: No position at this time pending receipt of discovery.

ISSUE 13: What other MSP interconnection tariff structure or rate changes, if any, should be made? (NORTON)

ALLTEL: None at this time.

BMI: No position at this time.

FMCA: There are no other mobile carrier interconnection tariff structure or rate changes that should be implemented.

FPTA: No position.

GTEFL: If detariffing is not permitted, GTEFL proposes that the local loop, E and M signaling, interoffice channel, and channel termination charges (page 4 of section A20.7) be replaced with a reference to page 28 of section 7.7.2 of GTEFL's Intrastate Access tariff. GTEFL's proposal is outlined in the chart below.

<u>Section A20 Rate Element</u>	<u>Section 7.7.2 Rate Element</u>
Local Loop (two or four wire) and E & M signaling	Local Channel (two or four wire)
Interoffice Channel, per mile	Interoffice Channel, per airline mile
Channel Terminal	Interoffice Channel Fixed Rate

This will result in a net decrease in the MSPs' facilities charges. Additionally, the DID Trunk Termination charge and the Voice Grade Service Trunk Termination charges on that same page should be replaced with an Analog Trunk Termination charge equivalent to the existing Voice Grade Service Trunk Termination charge. Even though these changes will result in an increase to the DID Trunk Termina-

tion charge, the DID user's overall rates for Voice Grade service will decrease when the local loop rate reduction is taken into account.

GTE MOBILNET: No position at this time.

MCCAW: The only appropriate changes are those identified in the other issues.

SOUTHERN BELL: The tariff should be formatted to create a more standard structure for purposes of efficiency, ease of administration and provision of better customer service.

The new tariff structure needs to be flexible enough to allow each individual LEC to add to the tariff any unique personal communications services (PCS) interconnection arrangements that may be negotiated with PCS providers.

UNITED/CENTEL: None at this time.

OPC: No position at this time.

FPSC: No position at this time pending receipt of discovery.

ISSUE 14: What procedures should be put in place to ensure that independent pay telephone providers are timely notified of NXX codes issued by the LECs for the Land-to-Mobile option? (WIDELL)

ALLTEL: Independent pay telephone providers currently subscribe to a service from outside companies that notifies them of new NXX codes as they are issued. The independent pay telephone providers or their association should be responsible for securing this information. It is not the responsibility of the LEC to process such notification.

BMI: No position at this time.

FMCA: Quarterly notices should be provided to all certificated independent pay telephone providers informing them of all presently assigned NXXs subscribed to the Land to Mobile option. The pay telephone providers must be notified of the NXX assignments in order for their own phones to properly originate - or process the calls at all - calls to the Land to Mobile numbers. In addition, the efficiency of the LEC network is reduced, and the LECs are denied revenue for Land to Mobile calls.

FPTA: Independent pay telephone providers (IPPs) must have access to call rating information in order to reprogram their phones to convert what once were toll calls into calls dialed on a 7-digit local basis. This information must be provided well in advance of the change in calling scope so that rate tables needed to reprogram the phones can be developed. IPPs are wholly dependent upon the LECs for this call rating information. The direct result of the LECs' unwillingness to provide the necessary call rating information has been customer confusion and frustration at IPP pay stations. Until call rating service is made available to IPPs on an unbundled basis, the Commission should require the LECs to implement an interim solution.

GTEFL: GTEFL currently has a procedure to notify pay telephone providers of NXX codes issued for the land-to-mobile reverse billing option. GTEFL sends a letter every six months to each pay telephone provider in the company's service area informing them which NXX codes have been assigned for land-to-mobile use. GTEFL believes that this procedure is effective and should not be changed.

GTE MOBILNET: No position at this time.

MCCA: No position at this time.

SOUTHERN BELL: Southern Bell has previously proposed to periodically provide a current list of all LTM NPA-NXXs (including exchange name and LATA code) in Florida to the Commission Staff and to the Florida Pay Telephone Association. Some LECs may choose to use bill inserts. Those independent pay telephone providers which subscribe to Southern Bell's SmartLine service will receive updated NXX codes through the coin rating functionality of the network at the time the conversion takes place.

UNITED/CENTEL: Independent pay telephone providers currently subscribe to a service from outside companies that notifies them of new NXX codes as they are issued. The independent pay telephone providers or their association should be responsible for securing this information. It is not the responsibility of the LEC to process such notification.

OPC: No position at this time.

FPSC: No position at this time pending receipt of discovery.

ISSUE 15: Should compensation be paid to mobile carriers by LECs for land originated calls? If so, what form and level of compensation should be paid? (MARSH)

ALLTEL: No. For the reasons stated by the Commission in Order No. 20475 in Docket 870675-TL, LECs should not compensate mobile carriers for terminating traffic originating on the LECs' network.

BMI: No position at this time.

FMCA: Yes. Mobile carriers are co-equal, telecommunications carriers in the local telephone network and, as mutual carriers, should be compensated for the land originated calls that are terminated by and through the mobile carrier's own switch and network. In instances of Type 2A interconnection, the mobile carrier switch is truly substituted for the LEC serving central office and the LEC is saved the corresponding switching costs. In addition, the calls terminated by mobile carriers greatly stimulate traffic on the LECs' network and generate incremental revenue to the LECs.

FPTA: No position.

GTEFL: GTEFL does not oppose mutual compensation for all certified carriers if the regulatory environment is fair to all providers. Such a regulatory environment does not presently exist in Florida. As such, GTEFL contends that any mutual compensation arrangements must be addressed as part of a comprehensive examination of local exchange competition.

Many issues must be addressed as part of this comprehensive examination. For example, a comprehensive originating responsibility plan (ORP) must be established in conjunction with any mutual compensation plan. Further, mutual compensation arrangements should be established such that only carriers certified as eligible by the Commission are eligible for payments. Also, GTEFL must have a customer to bill for the incurred compensation cost and regulatory approval for such billing. Consequently, measured services must be available to end user customers before mutual compensation plans can be implemented. Moreover, the payment of terminating access charges must be considered a legitimate component of the incremental costs of completing calls. The Commission cannot adequately address mutual compensation issues until these other issues are resolved.

GTE MOBILNET: This issue should be addressed as an integral component of negotiation of interconnection rates between the parties.

MCCAW: Yes, mutual or reciprocal compensation is appropriate. Landline and mobile carriers exchange traffic in the same manner as LECs exchange traffic. Yet today, while the LECs compensate each other for such services, and mobile carriers compensate the LECs for mobile-to-land traffic, the LECs do not compensate the mobile carriers for land-to-mobile traffic. Such compensation should be based upon the mobile-to-land rates.

SOUTHERN BELL: No. For the reasons stated by the Commission in Order No. 20475 in Docket 870675-TL, LECs should not compensate mobile carriers for terminating traffic originated on the LECs' network.

UNITED/CENTEL: Where mobile radio providers compensate LECs for mobile-originated traffic, mutual compensation is appropriate. Such compensation arrangements should be negotiated based on the MSP's reasonable costs in terminating traffic that originates on LEC facilities, but should be no higher than the LEC's rate for interconnection.

OPC: No position at this time.

FPSC: No compensation should be paid to mobile carriers by LECs for land originated calls at this time. This is a broad policy issue that may have implications for local competition and other matters. If this Commission deems appropriate, this topic should be revisited in other dockets. However, this does not preclude mobile carriers and the LECs from negotiating individual agreements.

ISSUE 16: Should all LECs be required to implement the Land-to-Mobile calling option? (SMITH)

ALLTEL: No. The Land-to-Mobile option should not be required unless there is demand and the cost for providing the service can be recovered.

BMI: No position at this time.

FMCA: Yes. The Land to Mobile option should be implemented by all LECs so that the option is available to all mobile carriers and their customers.

FPTA: No position.

GTEFL: No. Whether such an option should be offered is a question of how best to compete in the marketplace and should be left up to each individual LEC to answer. If, however, all LECs are required to offer this option, and if 1+ intraLATA presubscription is implemented, all providers of intraLATA toll must be required to do so as well. Again, many issues concerning the administration of the land-to-mobile option will have to be addressed if 1+ intraLATA presubscription is approved.

GTE MOBILNET: Yes, the option provides additional flexibility to the cellular carriers and their customers.

MCCA: The LECs should be required to implement the land-to-mobile option upon any valid request for service.

SOUTHERN BELL: The LTM option should be negotiated between the individual LECs and the MSPs. If required to implement this option, a LEC should be able to price the service to cover cost and provide reasonable contribution.

UNITED/CENDEL: No. The Land-to-Mobile option should not be required unless there is demand and the cost for providing the service can be recovered.

OPC: No position at this time.

FPSC: No position at this time pending receipt of discovery.

ISSUE 17: What should be the effective date of tariffs filed as a result of the decisions made in this docket? (MARSH)

ALLTEL: Adequate time should be allotted for updates in facilities and/or billing systems that may be required in response to meeting the decisions in this docket.

BMI: No position at this time.

FMCA: The tariffs filed as a result of the decisions in this docket should be effective immediately.

FPTA: No position.

GTEFL: Although GTEFL does not believe tariffs are needed, if such tariffs are required, the effective date of those tariffs should be dependent upon the date on which the changes can be implemented by the LECs. Revisions requiring changes to GTEFL's billing system (as compared to mere changes to the rates) will take time to

implement. The effective date of the tariffs should coincide with implementation of the billing system revisions.

GTE MOBILNET: If the Commission does not move to negotiated rates, tariffs reflecting the Commission's decision should become effective within thirty days of the issuance of the final order.

MCCAW: Tariffs should be filed within 60 days of the final order for approval and become effective 90 days from the final order.

SOUTHERN BELL: The effective date should be prior to the Company having to flow through any further switched access rate changes.

UNITED/CENDEL: Adequate time should be allotted for updates in facilities and/or billing systems that may be required in response to meeting the decisions in this docket.

OPC: No position at this time.

FPSC: This issue is dependent upon the decisions reached in other issues. No position at this time.

ISSUE 18: Should the docket be closed? (MARSH)

STAFF POSITION: No position pending resolution of the issues in this docket.

VII. EXHIBIT LIST

<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
William Cabrera	FMCA	WC-1	Configuration-Paging System Types I and II Interconnection
Lester B. Biddle	FMCA	LBB-1	Typical Network Configuration
		LBB-2	GTE Florida Cellular Mobile NN2 Labor Time and Cost
		LBB-3	Proposed Southern Bell Tariff Filing (Mobile Carrier Tariff Section A35)

<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
Lester B. Biddle	FMCA	LBB-4	NECA Exchanges No. 9 - Radio Common Carrier Services
Carl V. Povelities	GTE Mobilnet	CVP-1	Florida MSAs, RSAs, and Facilities Based Carriers
John Giannella	McCaw	JG-1	Cell Pattern
		JG-2	Elements of a Cellular
		JG-3	Mobile-to-Land Calling
		JG-4	Land-to-Mobile Calling
		JG-5	Mobile-to-Land Calling
		JG-6	Type 1 Interconnection
		JG-7	Type 2A Interconnection
		JG-8	Type 2B Interconnection
		JG-9	Type 2C Interconnection
		JG-10	Type 2D Interconnection
Nancy H. Sims	Southern Bell	NHS-1	To be introduced with rebuttal testimony

Parties and Staff reserve the right to identify additional exhibits for the purpose of cross-examination.

ORDER NO. PSC-95-0390-PHO-TL
DOCKET NO. 940235-TL
PAGE 32

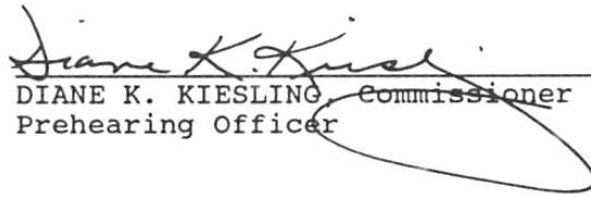
VIII. PROPOSED STIPULATIONS

There are no proposed stipulations at this time.

It is therefore,

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 22nd day of March, 1995.



DIANE K. KIESLING, Commissioner and
Prehearing Officer

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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.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.