

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 950740-TL
promotional tariff filing to) ORDER NO. PSC-95-1013-FOF-TL
waive nonrecurring charges for) ISSUED: August 17, 1995
mobile service providers wishing)
to move their NXX Code during)
permissive dialing period of)
813/941 area code split by GTE)
Florida Incorporated. (T-95-371)
filed 6/20/95))
_____)

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING PROMOTIONAL TARIFF

BY THE COMMISSION:

On May 28, 1995, a new area code, 941, was established in Southwest Florida. Much of the area that previously used the 813 area code will now use the 941 area code. To familiarize its customers with this change, calls can be made using either the 813 or 941 area code until March 3, 1996.

On June 20, 1995, GTE Florida Incorporated (GTEFL or the company) filed a promotional tariff to waive the nonrecurring charge specified in Section A20.7.5 of its General Service Tariff for Mobile Service Providers (MSP) who want to move their NXX code during the permissive dialing period of the 813/941 area code split.

MSPs must re-program all of their subscriber's phones that will now be served out of the 941 Numbering Plan Area (NPA) with the new NPA and re-program the Electronic Serial Number within their switch. In addition, the 813/941 split was originally planned to maintain seven - digit dialing across NPA boundaries. MSPs were advised that seven - digit local dialing would be maintained in November 1994. However, due to code conservation issues, the company implemented 10 - digit dialing across NPA boundaries.

DOCUMENT NUMBER-DATE

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FTSC-RECORDS/REPORTING

GTEFL believes allowing the MSPs to move their respective NXX code(s) to another central office, thereby eliminating the need to change the NPA of the number, will lessen the negative impact on the MSPs and their subscribers. For example, if provider A's NXX is served out of central office A, and central office A has been converted to the 941 area code, provider A may move its NXX to central office B which uses the 813 area code without being assessed the nonrecurring charge to do so. This move will eliminate the need for provider A to reprogram all of its subscriber's phones with the 941 area code and eliminate the need to reprogram the Electronic Serial Number within its switch.

The company's proposed promotional tariff filing would waive the nonrecurring charge of \$10,000 per NXX for all MSPs who:

- are provided service out of the Company's General Service Tariff, Section A20;
- have existing full NXX codes in service as of May 28, 1995, and
- are adversely affected by the area code split.

This promotion would begin on September 1, 1995, and end when permissive dialing is ended, March 3, 1996.

GTEFL expects a revenue loss due to this waiver. It is expected that approximately 12 NXX codes will be moved due to the split which will result in a \$120,000 revenue loss.

Upon consideration, we believe that GTEFL's proposed promotional tariff to waive the nonrecurring charge specified in Section A20.7.5 of its General Service Tariff for MSPs who want to move their NXX code during the permissive dialing period of the 813/941 area code split is appropriate because it will lessen the negative impact of the area code split on the MSPs and their subscribers.

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It is, therefore,

ORDERED by the Florida Public Service Commission that GTE Florida Incorporated's promotional tariff to waive the nonrecurring charge specified in Section A20.7.5 of its General Service Tariff for Mobile Service Providers who want to move their NXX code during the permissive dialing period of the 813/941 area code split is hereby approved. It is further

ORDERED that this tariff shall be effective September 1, 1995. It is further

ORDERED that if a protest is filed in accordance with the requirements 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 requirements set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 17th day of August, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Dejean
Chief, Bureau of Records

(S E A L)

MMB

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on September 7, 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.