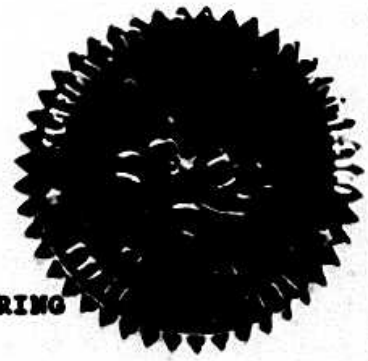


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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of
Petition for numbering plan
area relief for 904 area
code by BellSouth
Telecommunications, Inc.

: DOCKET NO. 961153-TL
:



PROCEEDINGS: TALLAHASSEE SERVICE HEARING

BEFORE: CHAIRMAN SUSAN F. CLARK
COMMISSIONER DIANE K. KIESLING
COMMISSIONER JOE GARCIA

DATE: November 7, 1996

TIME: Commenced at 6:30 p.m.
Concluded at 6:50 p.m.

PLACE: Room 148
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: H. RUTHE POTAMI, CSR, RPR
Official Commission Reporter

DOCUMENT NUMBER - DATE
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1 **APPEARANCES:**

2 **ROBERT G. BEATTY, BellSouth**
3 **Telecommunications, Inc., Museum Tower Building, Suite**
4 **1910, 150 West Flagler Street, Miami, Florida 33130,**
5 **Telephone No. (305) 347-5555, appearing on behalf of**
6 **BellSouth Telecommunications, Inc.**

7 **JACK SHERVE and CHARLES J. BECK, Office of**
8 **Public Counsel, 111 West Madison Street, Room 812,**
9 **Tallahassee, Florida 32399-1400, Telephone No. (904)**
10 **488-9330, appearing on behalf of the Citizens of the**
11 **State of Florida.**

12 **CHARLIE PELLEGRINI, Florida Public Service**
13 **Commission, Division of Legal Services, 2540 Shumard**
14 **Oak Boulevard, Tallahassee, Florida 32399-0870,**
15 **Telephone No. (904) 413-6199, appearing on behalf of**
16 **the Commission Staff.**

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19 **ALSO PRESENT:**

20 **RALPH WIDELL**

21 **WAYNE TUBAUGH**

22 **DANIEL BAEZA**

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P R O C E E D I N G S

(Hearing convened at 6:30 p.m.)

CHAIRMAN CLARK: I'll call the hearing to order. Mr. Pellegrini, would you please read the notice.

MR. PELLEGRINI: Yes, Chairman. Pursuant to notice dated October 22nd, 1996, this time and place have been set for a service hearing in Docket No. 961153-TL, petition for numbering plan area relief for 904 area code by BellSouth Telecommunications, Inc.

CHAIRMAN CLARK: We'll take appearances starting with you, Mr. Beatty.

MR. BEATTY: Yes. I'm Robert Beatty, counsel for BellSouth. With me also is Daniel Baeza, also representing BellSouth. My address is 150 West Flagler Street, Suite 1910, Miami 33130.

CHAIRMAN CLARK: Mr. Shreve.

MR. SHREVE: Jack Shreve and Charlie Beck, Office of the Public Counsel, representing the Citizens of the State of Florida, Claude Pepper Building, Tallahassee, Florida.

CHAIRMAN CLARK: I'm sorry. Did you also introduce Mr. Beck?

MR. BECK: (Nodding head.)

1 **CHAIRMAN CLARK:** I was writing something.
2 I'm sorry.

3 **MR. PELLEGRINI:** I'm Charles Pellegrini
4 appearing on behalf of Staff. With me this evening is
5 Will Cox and Ralph Widell.

6 **CHAIRMAN CLARK:** Okay. This is a hearing on
7 the proceeding involving the proposed 904 area code
8 change. I'd like to indicate while there are a lot of
9 people out in the audience, I have been informed that
10 there is only one person signed up to speak in this
11 matter.

12 I know a lot of the people here are Staff.
13 I see people from Public Counsel's Office and I see
14 people from the Company. Is there anyone besides
15 Mr. Cunningham who has signed up to speak? (No
16 response.)

17 Okay. I will go through a brief explanation
18 of why we're here and also about the other hearings we
19 will be conducting in this matter.

20 **COMMISSIONER GARCIA:** It might be easier for
21 Mr. Cunningham to interrogate us.

22 **CHAIRMAN CLARK:** That's true. I will just
23 be brief, that we are here on the petition of Southern
24 Bell -- excuse me; I'll get it right one day --
25 BellSouth requesting the Commission to determine the

1 area code relief method to implement a change in the
2 904 area code.

3 The petition was filed because the
4 telecommunications industry could not reach a
5 consensus by itself, so they have asked us to make a
6 determination of how the change should take place.

7 For the information of everyone here, we
8 have held already three public hearings; one in
9 Pensacola, one in Panama City, this one this evening,
10 and then we will hold one in Daytona and one in
11 Jacksonville. We will also have the technical
12 proceedings here in Tallahassee.

13 The people, the various parties who are in
14 this docket have already made appearances, so I will
15 not indicate who they are. Also, there are a number
16 of people with the Staff and with the Company out in
17 the audience, but I'm not at this point going to name
18 them, because we only have one person signed up to
19 testify at this time.

20 What I'd like to do, Mr. Shreve, is go ahead
21 and have Mr. Cunningham come up. We will swear him in
22 and we will hear what he has to say about the changes
23 in the area code. While he's coming up --
24 Mr. Cunningham, if you would come up to the second
25 seat over there -- we do have information about the

1 proceedings. The blue sheet is "Why Do Area Codes
2 Have To Be Changed." This is a report concerning this
3 particular proceeding, and then the yellow sheet is an
4 explanation of how to formally participate in
5 Commission hearings.

6 Mr. Cunningham, in order for us to rely on
7 any information you give us, we have to swear you in
8 and make your testimony part of the record, so at this
9 point if you would stand and be sworn in.

10 - - - - -

11 **DAVID CUNNINGHAM**

12 appeared as a witness and, having been duly sworn,
13 testified as follows:

14 **CHAIRMAN CLARK:** Would you go ahead and give
15 us your name and then tell us what you would like to
16 tell us about the area code.

17 **DIRECT STATEMENT**

18 **WITNESS CUNNINGHAM:** Thank you, ma'am. My
19 name is David Cunningham. I'm the owner of
20 D.C. Communications, which is a local interconnect
21 here in Tallahassee. And to -- just on the lighter
22 side, the reason why I guess nobody from the public
23 showed up is they all send me the letters. I kind of
24 got drafted into this. Basically --

25 **COMMISSIONER GARCIA:** Mr. Cunningham, excuse

1 me. What was the name of your company?

2 WITNESS CUNNINGHAM: D.C. Communications,
3 sir.

4 COMMISSIONER GARCIA: Thank you.

5 WITNESS CUNNINGHAM: Yes, sir. I'm going to
6 be brief in my comments here, because it's very
7 indicative of the comments that I've gotten from my
8 customers as well as me as a small business owner here
9 feel the same way. We can't afford to change the area
10 code of Tallahassee for several reasons.

11 First and foremost is, this is the capital
12 city. Not only would it affect state offices here in
13 Tallahassee, but it would also affect offices
14 throughout the state who use their local number as
15 well as the headquarters of whatever agency it is here
16 in Tallahassee. So this is of interest to, I think, a
17 lot of people in the central and southern part of the
18 state as well.

19 And then what I'm leading to is, is that if
20 we as the capital of the state are forced to change
21 our area code, taxpayers, we feel, will bear the
22 burden of having to have all of the stationery,
23 business cards, brochures and so forth reprinted; and
24 we feel that this is unfair to the taxpayers.

25 We propose, as in the green sheets here on

1 the special report, that the Commission adopt the
2 rate -- the area code relief plan number 1, which is
3 basically dividing the area code from the Suwannee
4 River east forcing Jacksonville, Daytona Beach and
5 those counties to assume the new 850 area code.

6 Not only from the taxpayers' standpoint and
7 state government -- of course local business owners
8 should be of interest -- interested in this also,
9 because they also will be forced to change their
10 stationery, business cards. And if I may for just a
11 minute, I mentioned that we received quite a few
12 letters.

13 About a month and a half ago we did an
14 article in the Democrat and were also on Channel 27
15 and Channel 6 asking people to either write us in care
16 of the Public Service Commission or send the letters
17 directly to the Public Service Commission concerning
18 their not wanting to see the area code here in
19 Tallahassee changed.

20 This letter that I'm showing here is just
21 one that I picked out here, but it pretty well says it
22 all, and I don't think they'll mind me using their
23 name; it's Flint Equipment, which is one of our big
24 businesses out on west Tennessee here in Tallahassee,
25 and this is written by Hal Slade who is vice-president

1 and general manager.

2 He goes on to say: "Public Service
3 Commission, Attention Committee; Flint Equipment is
4 very much opposed to changing our area code in the
5 Tallahassee area. We, as all businesses, have enough
6 expense without having to endure the expense that will
7 be involved if this area code change is made. We will
8 have to reprint stationery, literature, business
9 cards, et cetera.

10 As all of the state offices are located in
11 Tallahassee, there will be the expense of the state,
12 which we the people will have to pay for, to convert
13 this change. We feel this will be a bad decision on
14 your part if you approve this change.

15 Thank you for allowing us to voice our
16 opinion. We ask that you consider all pros and cons
17 before making this decision. Respectfully, again, Hal
18 Slade, Vice-president, General Manager of Flint
19 Equipment."

20 And that's indicative of pretty much the
21 letters that we have gotten from business owners here.

22 CHAIRMAN CLARK: Thank you.

23 COMMISSIONER GARCIA: Mr. Cunningham, you
24 stated that you were favor of Option 1?

25 WITNESS CUNNINGHAM: Yes, sir.

1 **COMMISSIONER GARCIA:** I think you probably
2 meant Option 3, just in case you're asking people to
3 write, from letters; at least the ones that we're
4 looking at on this green sheet, which would mean no
5 change for Leon County.

6 **WITNESS CUNNINGHAM:** Yes, sir, Option 3.
7 Did I say 1? I'm sorry. I meant Option 3.

8 **COMMISSIONER GARCIA:** That's all right. Let
9 me just ask you a quick question, a hypothetical. As
10 a general rule, we in Tallahassee get blamed of doing
11 whatever suits Tallahassee best as opposed to thinking
12 of the greater body of taxpayers and contributors of
13 the state. And I can assume or imagine that the
14 people sitting in Daytona or Jacksonville or
15 Pensacola -- in fact, yesterday in Panama City Beach
16 one gentleman stood up and said, I'll bet you what; in
17 the end the government is going to keep the number to
18 themselves like they always do and abuse their power,
19 and so on and so forth. What would you answer to
20 that?

21 **WITNESS CUNNINGHAM:** Well, I would answer to
22 him as I would anyone else; that he's a taxpayer of
23 the state, and logically and economically -- well,
24 first of all, let me go back to a point that I'd make.
25 Somebody has to change. It's inevitable. As

1 mentioned before, the explosion in cellular phones,
2 pagers, this being the largest area code in the state,
3 spans roughly two states, if you consider Georgia and
4 Alabama, it's got to be broken up.

5 The question is where. And logically and
6 emotionally and economically, I would answer this
7 guy -- to this gentleman that we as taxpayers are
8 going to have to pay the expense of reprinting all the
9 state offices' letterhead, business cards and
10 brochures. So given that, this is the logical choice,
11 is to keep the area code here and force Jacksonville
12 and Daytona Beach to change.

13 I don't have the call amount, but I would
14 guesstimate that if you take in all of the calls on a
15 given day from the other part of the state,
16 Tallahassee far outweighs calls coming in from the
17 rest of the state than either Jacksonville or Daytona
18 Beach simply because the state offices are here.

19 **COMMISSIONER GARCIA:** Thank you.

20 **CHAIRMAN CLARK:** Other questions,
21 Commissioners? Staff or BellSouth or Public Counsel,
22 any questions? (No response.)

23 Thank you, Mr. Cunningham.

24 **WITNESS CUNNINGHAM:** Thank you.

25 (Witness Cunningham excused.)

1 **CHAIRMAN CLARK:** I have not seen anyone else
2 who has come in to testify or signed up. What we'll
3 do is we'll wait another five minutes, see if somebody
4 else comes in, and if not, we will adjourn the
5 hearing.

6 **COMMISSIONER GARCIA:** Madam Chair, do we
7 have a date certain for the hearings that we'll hold
8 here for this? It's a curiosity question more than
9 anything.

10 **COMMISSIONER KIESLING:** December 9th.

11 **COMMISSIONER GARCIA:** Thank you.

12 **CHAIRMAN CLARK:** Is it scheduled for one
13 day?

14 **MR. PELLEGRINI:** The hearing is scheduled
15 for one day.

16 **CHAIRMAN CLARK:** All right. We'll stand
17 adjourned until 10 minutes 'til.

18 (Brief recess.)

19 - - - - -

20 **CHAIRMAN CLARK:** We'll go back on the
21 record. Mr. Shreve has, anyone else signed up to
22 speak?

23 **MR. SHEREVE:** No one.

24 **CHAIRMAN CLARK:** All right. I think we have
25 waited long enough to see if there are any more

1 STATE OF FLORIDA)

2 COUNTY OF LEON)

CERTIFICATE OF REPORTER

3 I, H. RUTHE POTAMI, CSR, RPR Official
4 Commission Reporter,

5 DO HEREBY CERTIFY that the TALLAHASSEE
6 SERVICE HEARING was heard by the Florida Public
7 Service Commission at the time and place herein
8 stated; it is further

9 CERTIFIED that I stenographically reported
10 the said proceedings; that the same has been
11 transcribed under my direct supervision; and that this
12 transcript, consisting of 15 pages, constitutes a true
13 transcription of my notes of said proceedings.

10

DATED this 8th day of November, 1996.

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H. RUTHE POTAMI, CSR, RPR
Official Commission Reporter
(904) 413-6734

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1 interested parties to speak, and there being none, we
2 will now adjourn this hearing.

3 (Thereupon, the hearing concluded at 6:50
4 p.m.)

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