

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition to modify Port ) DOCKET NO. 961048-TL  
St. Lucie exchange boundary to ) ORDER NO. PSC-96-1501-FOF-TL  
include Wide Waters subdivision ) ISSUED: December 11, 1996  
in St. Lucie County by BellSouth )  
Telecommunications, Inc. )  
\_\_\_\_\_)

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

NOTICE OF PROPOSED AGENCY ACTION  
ORDER DENYING REQUEST FOR MODIFICATION  
OF EXCHANGE BOUNDARY

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On September 6, 1996, BellSouth Telecommunications, Inc. (BellSouth) petitioned us to modify the Port St. Lucie exchange boundary to include the Wide Waters subdivision, which is currently in the Stuart exchange. BellSouth serves both exchanges. Wide Waters is served by public safety agencies in St. Lucie County. As part of the Stuart exchange, however, Wide Waters' 911 identification and responses come from Martin County. At the request of public safety agencies in both counties, BellSouth proposed to divide the Stuart and Port St. Lucie exchanges wholly along the county line.

If the requested boundary modification is made, affected subscribers would face a calling scope change and a possible telephone number change. Local service rates would remain the same. The affected subscribers would gain EAS to Fort Pierce and lose EAS to Indiantown, resulting in a net increase of 46,553 access lines for local service.

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FPSC-RECORDS/REPORTING

Even though local rates would not increase, we hold that the 53 subscribers of the Wide Waters subdivision should be surveyed about the proposed boundary modification, since possible telephone number and calling scope changes would result. The Commission has no rules covering requirements for such a survey. However, in Docket No. 951099-TL, involving a request for exchange boundary modification, the Commission ordered that at least 50 percent of the balloted customers must respond and at least 60 percent of those responding must vote in favor of the boundary change for the survey to pass. See Order No. PSC-96-0794-FOF-TL, issued June 19, 1996.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission, that BellSouth Telecommunications, Inc. shall ballot the 53 subscribers of the Wide Waters subdivision, within 45 days from the date this Order becomes final, to determine if they are in favor of the proposed exchange boundary modification. It is further

ORDERED that the ballot shall advise subscribers that their telephone numbers could change and that their local calling scope will change if the proposed exchange boundary modification is implemented; also, the ballot shall identify the extent to which the subscribers' local calling scope will change if the proposed boundary change is implemented. It is further

ORDERED that BellSouth shall submit its survey letter and ballot to the Commission Staff for review prior to distribution to the Wide Waters' subscribers. It is further

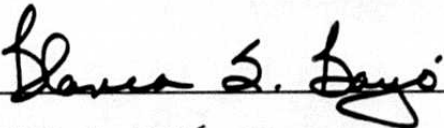
ORDERED that, in order for the survey to pass, at least 50 percent of the subscribers balloted must respond and at least 60 percent of those responding must vote in favor of the exchange boundary modification. It is further

ORDERED that, unless a person whose interests are substantially affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, this Order shall become final. It is further

ORDERED that this docket should remain open pending the outcome of the subscriber survey described above.

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DOCKET NO. 961048-TL  
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By ORDER of the Florida Public Service Commission, this 11th  
day of December, 1996.



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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

WPC

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 action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), 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 January 2, 1997.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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 and effective on the date described above, any party substantially 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 effective date of this order, 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.