

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 961399-TL
tariff filing to add deposit) ORDER NO. PSC-97-0032-FOF-TL
language by Indiantown Telephone) ISSUED: January 7, 1997
System, 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

ORDER APPROVING TARIFF

BY THE COMMISSION:

On November 19, 1996, Indiantown Telephone System, Inc. filed a tariff that allows Indiantown to impose deposits for special construction, Attachment A hereto and incorporated herein by reference. We find that the tariff language is consistent with Rule 25-4.094, Florida Administrative Code, and, accordingly, we grant our approval, effective December 19, 1996.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the tariff filed by Indiantown Telephone System, Inc., as described in the body of this Order, is approved, effective December 19, 1996. It is further

ORDERED that if a protest is filed within 21 days from the issuance date of this Order, the tariff shall remain in effect pending resolution of the protest. It is further

ORDERED that if a timely protest is not filed, this docket shall be closed administratively.

DOCUMENT NUMBER-DATE

00131 JAN-76

FPSC-RECORDS/REPORTING

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PAGE 2

By ORDER of the Florida Public Service Commission, this 7th
day of January, 1997.

Blanca S. Bayó

BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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.

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 January 28, 1997.

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.

ATTACHMENT A

GENERAL SUBSCRIBER SERVICES TARIFF

INDIANTOWN TELEPHONE
SYSTEM, INC.

FPSC Tariff No. 2
SECTION 5
First Revised Sheet 1
Cancels Original Sheet 1

CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

5.1 CONSTRUCTION CHARGES

5.1.1 Extension of Facilities

a. The Company may require a reasonable deposit from the applicant(s) before construction is commenced in order to guarantee performance. The deposit shall be returnable to the applicant on a pro-rata basis at either quarterly or annual intervals on the basis of installation of service to new subscribers. If returned on a quarterly basis, no interest will be paid; but if refunded annually, the refundable portion shall bear interest at a rate equivalent to the then-current prime interest rate.

b. Any amount due The Company under Rule 25-4.093 may be withheld when the deposit is being returned to the applicant.

c. Any portion of the deposit remaining unrefunded five (5) years from the date The Company is first ready to render service from the extension will be retained by the utility as liquidated damages and credited to an appropriate account.

5.1.2 Construction on Private Property

a. Subdivisions and multiple occupancy buildings.

NOTE: Material previously appearing on this sheet now appears on sheet 1.1

EFFECTIVE DATE:

ISSUED BY:

Robert M. Post
President

GENERAL SUBSCRIBER SERVICES TARIFF

INDIANTOWN TELEPHONE
SYSTEM, INC.

FPSC Tariff No. 2
SECTION 5
Original Sheet 1.1

CHARGES APPLICABLE UNDER SPECIAL CONDITIONS

5.1 CONSTRUCTION CHARGES (Cont'd)

5.1.2 Construction on Private Property (Cont'd)

- (1) Extensions of telephone distribution lines to all structures within a new residential subdivision or to a new multiple occupancy building shall be made underground. The Company shall construct, own, operate and maintain all such underground facilities and such facilities shall be located only upon rights-of-way or easements granted to the Company without cost or paid for by the applicant.
- (2) The Company will install facilities at no cost to the applicant, except that the applicant must do the following:
 - (a) Obtain any required rights-of-way or easements at applicant's cost and convey them to the Company at no cost;

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NOTE: Material appearing on this sheet previously appeared on sheet 1.

EFFECTIVE DATE:

ISSUED BY:

Robert M. Post, Jr.
President