

ORIGINAL
FILE COPY

Commissioners:
JULIA I. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
DIANE K. KIESLING
JOE GARCIA

State of Florida



Blanca S. Bayó, Director
Division of Records and Reporting
(904) 413-6770

Public Service Commission

DATE: February 12, 1997
TO: Parties of Record
FROM: Blanca S. Bayó, Director *BSB*
Division of Records and Reporting
RE: Docket No. 961153-TL - Petition for numbering area relief for 904 area code, by BellSouth Telecommunications, Inc.

This is to inform you that Chairman Johnson and Commissioner Clark have reported the following communication in the above-referenced docket.

- Letter from Rep. James E. "Jim" King, Jr., dated January 24, 1997.

The letter from Rep. King, and Chairman Johnson's and Commissioner Clark's responses, copies of which are attached, are being made a part of the record in these proceedings. Pursuant to Section 350.042, F.S., any party who desires to respond to an ex parte communication may do so. The response must be received by the Commission within 10 days after receiving notice that the ex parte communication has been placed on the record. Please mail your response to the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

BSB/cp

ACK _____
APA _____
APP _____
COP _____
CPI _____
CPS _____
EIS _____
LIS _____
LRS _____
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CPI _____
CPS _____
WTS _____
OTH _____

Attachments

cc: Rob Vandiver/w/letter

01607 FEB 13 1997

97-0021 JAN 31



John

97-0020 JAN 31

Florida House of Representatives

JAMES E. "JIM" KING, JR.
REPRESENTATIVE, DISTRICT #17

January 24, 1997

Ms. Julia Johnson, Chairman
Public Service Commission
Gerald L. Gunter Building
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0865

Dear Ms. Johnson:

Needless to say, I was shocked to learn of your decision to allow the northwest area of Florida to maintain the 904 area code, while forcing the northeast area to change, and I want you to know how opposed I am to that decision. Quite frankly, it makes absolutely no financial sense. When you look at the Tallahassee and west option, according to the phone company, there are about 750,000 subscribers - while there are over 1,200,000 subscribers in the Jacksonville and Daytona area. It makes little sense, from a monetary standpoint, to financially harm the largest group!

I believe a reconsideration on the part of the PSC is in order... and will appreciate hearing from you as to what your intentions are in this regard.

Sincerely,

Jim
James E. "Jim" King, Jr., House Majority Leader
Representative, District #17

JEK kg

STATE OF FLORIDA

JULIA L. JOHNSON
CHAIRMAN



CAPITAL CIRCLE OFFICE CENTER
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0854
(904) 413-6044

Public Service Commission

January 31, 1997

Honorable James E. "Jim" King, Jr.
House Majority Leader
Florida House of Representatives
Room 323, The Capitol
Tallahassee, Florida 32399-1300

Dear Representative King:

Thank you for your letter of January 24, 1997, regarding the Public Service Commission's (PSC) recent decision in the 904 Area Code (Docket No. 961153-TL). In response to your request that the PSC reconsider its decision, I regret to inform you that only parties of record have standing to seek reconsideration.

Also, due to the possibility that a Motion for Reconsideration may be addressed by the PSC in the near future, I am prohibited by Florida law from commenting on the merits of the PSC's decision while this matter is pending. However, in an effort to address your specific concerns, I have asked my staff to provide you with a more thorough response, which you should receive soon.

With kind regards, I am

Sincerely,

A handwritten signature in black ink, appearing to read "Julia L. Johnson".

Julia L. Johnson
Chairman

JLJ:ssf

cc: Division of Records and Reporting (Docket No. 961135-TL)

State of Florida

Susan F. Clark
Commissioner



Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(904) 413-6040
FAX (904) 413-6395

Public Service Commission

February 11, 1997

The Honorable James E. King, Jr.
House Majority Leader
The Florida House of Representatives
323 The Capitol
Tallahassee, Florida 32399-1300

Dear Representative King:

I am responding to your letter of January 24, 1997, in which you request the Commission to reconsider its decision to adopt a three-way split of the 904 Area Code.

The current schedule for the 904 Area Code proceeding (Docket No. 961153-TL, Petition for Numbering Plan Area Relief for 904 Area Code, by BellSouth Telecommunications, Inc.) calls for the Commission's order to be issued by February 10, 1997. Upon issuance of the order, parties will have 15 days by which to file motions for reconsideration. The standard of review utilized in addressing motions for reconsideration is whether the Commission overlooked or misapprehended a fact or law. It is not an opportunity for parties to reargue the case. The Commission's order will also be appealable to the Florida Supreme Court.

According to the Commission's rules, only official parties of record have standing to request reconsideration of a Commission decision. The Commission's rules also provide that substantially interested persons may intervene in a proceeding up to five days before the final hearing. The hearing in this case was held on December 9, 1996, therefore, the time for intervention has passed.

I would like to point out that I did not vote with the majority to adopt the three-way split. Therefore, as a dissenting Commissioner, I am unable to request that this matter be reconsidered.

Because this is a pending docket, I am unable to discuss the merits of the case. I will, however, place your letter on the record of the proceeding and provide an opportunity for the parties to respond to your comments.

The Honorable James E. King, Jr.
February 11, 1997
Page 2

Thank you for your letter.

Sincerely,


Susan F. Clark
Commissioner

c: Rob Vandiver, General Counsel
Noreen Davis, Director of Legal Services
Blanca Bayo, Director of Records and Reporting
-- DN 961153-TL

STATE OF FLORIDA

JULIA L. JOHNSON
CHAIRMAN



CAPITAL CIRCLE OFFICE CENTER
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0854
(904) 413-6044

Public Service Commission

February 3, 1997

MEMORANDUM

RECEIVED
FEB 03 1997

FPSC RECORDS/REPORTING

TO: Ms. Blanca Bayo
Director of Records & Reporting

FROM: Chairman Julia Johnson

SUBJECT: Letter received from State Representative James E. "Jim" King, Jr.,
regarding Docket No. ⁹⁵1153-TL
ql

Please find attached a letter dated January 24, 1997, from Representative James E. "Jim" King, Jr., and my response to him. Because this letter addresses matters relevant to a pending proceeding, I ask that you place this memorandum and attachments on the record of the above-referenced proceeding.

Also, please give notice of this communication to all parties to the docket, and inform them that they have 10 days from receipt of the notice to file a response.

LJ:CJW:ssf

Carol Purvis 2/12/97 10:33am

From: Brenda Ferris CONFIRMED
To: Carol Purvis
Subject: Letters in Docket 951153-TL

===NOTE=====2/12/97=10:21am==

This office DID receive correspondence from Councilman King Holzendorf and Rep. James E. King regarding this docket. Both letters were not circulated to Commissioner Kiesling. My e-mail of 1/28 incorrectly stated that he had not received the letters.

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: February 11, 1997

TO: Blanca Bayó, Director of Records and Reporting

FROM: Commissioner Susan F. Clark

RE: Docket No. 961153-TL

RECEIVED
FEB 11 1997

FPSC-RECORDS/REPORTING

I have attached a copy of a letter dated January 24, 1997, from Florida State Representative James King, Jr., which references matters at issue in the above-referenced proceedings. I have also attached a copy of my response. Please place this memorandum and attachment on the record of the above-referenced proceedings. Also, please give notice of this communication to all parties to the dockets and inform them that they have 10 days from receipt of the notice in which to file a response.

Attachment

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: February 6, 1997

TO: Blanca Bayó, Director of Records and Reporting

FROM: Wilbur Stiles, Assistant to the Commissioner

RE: Docket No. 961153-TL

RECEIVED
FEB 11 1997

FPSC-RECORDS/REPORTING

Our office received the attached letter of January 24, 1997, from Florida State Representative James King, Jr. Please place this memorandum and attachment on the record of the above-referenced proceeding. Also, please give notice of this communication to all parties to the dockets and inform them that they have 10 days from receipt of the notice in which to file a response.



Florida House of Representatives

JAMES E. "JIM" KING, JR.
REPRESENTATIVE DISTRICT #17

January 24, 1997

Ms. Susan F. Clark, Commissioner
Public Service Commission
Gerald L. Gunter Building
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0865

Dear Commissioner Clark:

Needless to say, I was shocked to learn of your decision to allow the northwest area of Florida to maintain the 904 area code, while forcing the northeast area to change, and I want you to know how opposed I am to that decision. Quite frankly, it makes absolutely no financial sense. When you look at the Tallahassee and west option, according to the phone company, there are about 750,000 subscribers - while there are over 1,200,000 subscribers in the Jacksonville and Daytona area. It makes little sense, from a monetary standpoint, to financially harm the largest group!

I believe a reconsideration on the part of the PSC is in order - and will appreciate hearing from you as to what your intentions are in this regard.

Sincerely,

James E. "Jim" King, Jr., House Majority Leader
Representative, District #17

RECEIVED

JAN 30 1997

Florida Public Service Comm.
Commissioner Clark

JEK kg

COMMITTEES

Appropriations

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3485 Ferguson Square Blvd., Suite 108

Jacksonville, FL 32225

904/737-4800

FAX 904/737-4801

605 The Capitol

Tallahassee, FL 32399-2000

904/488-4200

FAX 904/488-2000