

FLORIDA PUBLIC SERVICE COMMISSION
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M E M O R A N D U M

APRIL 2, 1997

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (WIDELL) *raw*
DIVISION OF LEGAL SERVICES (CULPEPPER) *BCJ*

RE: DOCKET NO. 961048-TL - PETITION TO MODIFY THE PORT ST.
LUCIE EXCHANGE BOUNDARY TO INCLUDE THE WIDE WATERS
SUBDIVISION.

AGENDA: APRIL 14, 1997 - REGULAR AGENDA - PROPOSED AGENCY ACTION
-INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\CMU\WP\961048TL.RCM

CASE BACKGROUND

- On September 6, 1996 BellSouth filed a petition with the Commission requesting that the Wide Waters subdivision be moved from the Stuart exchange into the Port St. Lucie exchange.
- By Order No. PSC-96-1501-FOF-TL, issued December 11, 1996, the Commission ordered a ballot of the customers of the Wide Waters subdivision to determine whether they were in favor of moving from the Stuart exchange to the Port St. Lucie exchange. The order further required that for the survey to pass in favor of the boundary change, at least 50 percent of those balloted must respond and, of those responding, at least 60% must favor the boundary change.
- This recommendation will address the outcome of the ballot.

DOCUMENT NUMBER-DATE

03359 APR-25

FPSC-RECORDS/REPORTING

DOCKET NO. 961048-TL
DATE: APRIL 2, 1997

DISCUSSION OF ISSUES

ISSUE 1: Based on the results of the survey, should the Wide Waters subdivision be moved from the Stuart exchange into the Port St. Lucie exchange?

RECOMMENDATION: No. Since the survey did not meet the requirements of Order No. PSC-96-1501-FOF-TL, the BellSouth petition should be denied, and service to the Wide Waters subdivision should remain unchanged.

STAFF ANALYSIS: BellSouth mailed ballots to the 30 customers of record in the Wide Waters subdivision. The results of the survey are shown in Table A:

TABLE A

SURVEY RESULTS			
	NUMBER	PERCENT OF TOTAL MAILED	PERCENT OF TOTAL RETURNED
Ballots Mailed	30	100.00%	
Ballots Returned	18	60.00%*	100.00%
For boundary change	4	13.34%	22.22%**
Against change	13	43.33%	72.22%
Invalid	1	3.33%	5.56%

* Order requires 50% of the ballots mailed must be returned.

** Order requires that of those ballots returned 60% must vote favorably.

Although 60 percent of the ballots mailed were returned, only 22 percent voted in favor of the boundary change. Since this vote was far short of the requirement (60%) of the Commission order, staff recommends that the BellSouth petition be denied.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If no person whose substantial interests are affected by the Commission's proposed agency action, timely files a protest within twenty-one days, this docket should be closed.

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STAFF ANALYSIS: If no person whose substantial interests are affected, files a timely request for a Section 120.57, Florida Statutes, hearing within twenty-one days, no further action will be required and this docket should be closed.