

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

APRIL 24, 1997

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (COX) *WPC MRS CW*
DIVISION OF COMMUNICATIONS (MOSES) *pu*

**RE: DOCKET NO. 960603-TC - REQUEST FOR WAIVER OF RULES AND
POLICIES WHICH PROHIBIT PROVISION OF 0+ LOCAL AND 0+
INTRALATA CALLS FROM STORE-AND-FORWARD PAY TELEPHONES
LOCATED IN CONFINEMENT FACILITIES BY ATN, INC.**

**AGENDA: MAY 6, 1997 - REGULAR - INTERESTED PERSONS MAY
PARTICIPATE**

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\LEG\WP\960603.BCM

CASE BACKGROUND

On May 13, 1996, ATN, Inc. (ATN) filed a petition for waiver of Commission rules and policies to permit provision of 0+local and 0+intraLATA utilizing store-and-forward technology at pay telephones located in correctional institutions and other confinement facilities (Docket No. 960603-TC). On August 20, 1996, the Commission issued Order No. PSC-96-1062-FOF-TC granting ATN's waiver petition.

On September 6, 1996, ALLTEL Florida, Inc. (ALLTEL) filed a protest petition on Order No. PSC-96-1062-FOF-TC, and the matter was set for hearing. Subsequently, on February 27, 1997, ALLTEL filed a withdrawal of its protest petition. As a result, the following recommendations are appropriate.

DOCUMENT NUMBER-DATE

04180 APR 24 97

FPSC-RECORDS/REPORTING

DOCKET NO. 960603-TC
DATE: APRIL 24, 1997

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission acknowledge the withdrawal of protest on Order No. PSC-96-1062-FOF-TC in Docket No. 960603-TC by ALLTEL Florida, Inc., and reinstate Order No. PSC-96-1062-FOF-TC, as a final order?

RECOMMENDATION: Yes. The Commission should acknowledge that ALLTEL has withdrawn its protest petition on Order No. PSC-96-1062-FOF-TC, and reinstate the order as a final order. The Order should be deemed effective the date of the Commission vote to grant the waiver petition.

STAFF ANALYSIS: With ALLTEL's protest petition withdrawn, there are no further issues for the Commission to address. Accordingly, the Commission should acknowledge that ALLTEL has withdrawn its protest petition on Order No. PSC-96-1062-FOF-TC, reinstate the Order, and declare the Order final. The Order should be deemed effective the date of the Commission vote to grant the waiver petition.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, no further issues remain for the Commission to address. Therefore, this docket should be closed.

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, no further matters remain for the Commission to address. Therefore, this docket should be closed.