



Public Service Commission

DATE: October 2, 1997
 TO: Ms. Blanca Bayo, Director- Records & Reporting
 FROM: Phil Trubelhorn, Engineer, CMU- Service Evaluation *PT*
 RE: Docket #950814-TL File

1. Please add the attached letters from Mr. R. L. Caleen, Jr. and Mr. Lawrence W. Huntsman to the #950814-TL Docket File.
2. Please add the following parties to the Docket's mailing list:

Mr. Lawrence W. Huntsman
 P. O. Box 175
 Panacea, FL 32346

Mr. R. L. Caleen, Jr.
 3048 Godfrey Place
 Tallahassee, FL 32308.

Thanks.

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Greg Don

DOCUMENT NUMBER-DATE
10153 OCT-36
 FPSC-RECORDS/REPORTING

Lawrence W. Huntsmen
P.O. Box 175
Panacea, FL 32346
850 697-4721

25 September 1997

Phil Trubelhorn
Division of Communications
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0866

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SEP 30 1997

RE: Docket NO: 950814-TL

CMU

Dear Mr. Trubelhorn;

I am a long time (twenty-three year) resident of Dog Island and a customer of the cellular phone service provided by St. Joseph Telecommunications Company. Like all my friends here I have nothing but praise for the quality of service they provide. Thank you for sending a copy of your memorandum dated 28 August 1997. I read it with great interest and am astonished at many of the statements it contains and the conclusion it reaches. I will confine my comments to issues that can be confirmed by objective factual research.

The Staff Memorandum states that 95 Island residents signed a petition complaining about poor cellular service and requesting a fiber optic cable system instead. **The Fact is** only 26 of those 95 are actually property owners, much less residents. It appears one enterprising individual signed three times!

The Staff Memorandum states there are 96 residential and two business subscribers on Dog Island. **The Fact is** there are currently 127 homes on Dog Island, 44 of them, for whatever reason, have chosen not to have phone service. That is thirty-five percent! In order to reconcile the difference between reported and actual residential subscribers, I have assumed two hypothesis; first that some individuals have more than one cellular service, and second that a number of property owners have cellular service and use it on their boats since they don't have a cottage.

The Staff Memorandum makes numerous mention of the Dog Island Conservation District as the entity responsible for obtaining right-of-way approval. **The Fact is** that statement is totally untrue! The owner of the road right-of-way is The Nature Conservancy. They own two-thirds

of the Island and maintain it as a wilderness preserve. The goal is habitat preservation and maintenance of species diversity. The proposed trenching and bulldozing of TNC right-of-ways is inimical to such goals. More than seven acres of virgin habitat will be lost in such a project.

The Staff Memorandum claims beaming signals across the bay and distributing them around the Island via a combination of additional ethereal signals and buried copper cable will provide better service. The Fact is such a system will result in a marked degradation of service. The power system (Florida Power) here never has been nor ever will be continuous. During the frequent storm events power may be lost for hours or up to two weeks at a time. Under the proposed system we would be deprived of telephone service. With the current system all we have to do is connect our cellular phone to a 12 volt battery. It is the only service usable during the inevitable natural disasters which regularly occur here. Despite frequent staff claims to the contrary, Dog Island is not a suburb of Corrabile and never will be.

For now I will rest my case. Please see my letter of 22 October 1996 to PSC Chairman Susan Clark for additional analysis concerning phone service and Dog Island (copy enclosed). I am left with the very strong impression that questionable decisions made by the staff of PSC some years ago driving this project. Am I wrong?

I am not convinced this is the proper time to invoke 25-22.029 FAC or 25-22.036 FAC, but if issues concerning Dog Island cannot be resolved, I of course must consider doing so.

Yours truly,



Lawrence W. Huntsman

cc: Susan Clark, PSC
Jora Young, TNC
Rick Studenmund, TNC
Guy Smith, BIT
Linda Bordelon, St. Joe

Lawrence W. Huntsman
P.O. Box 175
Panacea, FL 32346
904 697-4721

22 October 1996

Susan F. Clark, Chairman
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: DOCKET NO. 950814-TL

Dear Chairman Clark;

I am a long time (twenty-two year) resident of Dog Island and a customer of the cellular phone service provided by St. Joseph Telecommunications Company. Like all of my neighbors I have nothing but praise for the quality of the service they provide compared to the old "standard" cellular service we used previously. Last week I received a copy of the above referenced docket and read it with interest. I am astonished at many of the statements it contains and the conclusion it reaches. I will confine my comments about the docket to only two issues:

First, your staff calculated a potential of 410 subscribers at ultimate build out on the island. This figure was derived from a real estate brochure that was itself based on a map drawn in the 1950's. The figure thus derived is woefully out of date. Review of more current data (Bancquities, Ltd., 1988) show that 116 lots are owned by The Nature Conservancy and will not be developed. Study of a report on historic shoreline movement rates on Dog Island (Champion, 1996) confirms the average erosion rate on the island to be eight to ten feet a year. Fifty-three lots are currently lost to the sea. An additional forty cannot be built upon, bringing the grand total in 1996 to around two hundred buildable lots. A projection for ten years into the future based on the well documented erosion rates indicate an additional forty to fifty lots will be lost. Thus the most realistic assessment is that at maximum build out there will only be the potential of some 150 to 160 homes on Dog Island. Which is merely a small increase from the current number.

Second, your staff has not researched the provisions of Chapter 253, F.S. and its resultant rule, Chapter 18-21, F.A.C., concerning the use of state sovereign submerged lands. In 1992 Chapter 18-21 was amended by the

Governor and Cabinet acting as the Trustees of the Internal Improvement Trust fund. They unanimously approved making it illegal to place additional public utilities which required the use of sovereign state submerged lands to unbridged and undeveloped barrier islands in Florida.

Dog Island is included in this category. In fact, when a lobbyist for a development interest on the island asked for Dog Island to be excluded from the provisions of this rule, Governor Chiles responded by saying he had owned property here and felt, as a public official charged with the protection of environmentally sensitive lands, that the amendments were appropriate, proper, and long overdue. He and the Cabinet showed political courage that day. Your staff was apparently unaware of these provisions when it prepared a recommendation requiring St. Joseph to place a submerged phone line to Dog Island. This issue raises the interesting question of how the Public Service Commission can require an action which the Governor and Cabinet has made illegal.

To the best of my knowledge the only action that needs to be taken by St. Joseph is for them to renegotiate the rate they are being charged for air time by their cellular provider. The service they provide is just fine, it is just costing them too much to provide it. Surely that makes much more sense than forcing them to construct expensive infrastructure to provide for an arguable need in an environmentally sensitive area.

Sincerely,

Lawrence W Huntsman

cc Governor Lawton Chiles
Honorable Marjorie Turnbull
Ms Lynda N. Bordelon, St. Joe
Mrs. Jora Young, TNC
Mr. Guy L. Smith IV, BIT
Mr. James Strong, PSC

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SEP 29 1997

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September 26, 1997

Phil Trubelhorn, Engineer
Division of Communications
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: Dog Island Telephone Service; Proposed PSC Action, September 9, 1997 Agenda

Dear Mr. Trubelhorn:

As you may recall, I called one day after the Public Service Commission approved your staff recommendation to replace the existing cellular telephone service to Dog Island with a system which includes the laying of hard land-lines over most of the Island. I, and others, learned of the Commission action after-the-fact by local radio announcement the day after the Commission meeting.

When the issue of telephone service for Dog Island was last before the Commission in September 1996, I and others called and wrote to the staff and Commission. We expressed our views and concerns about potential adverse impacts on the pristine environment of this barrier island and the desire of many Islanders to preserve its rustic nature. The Commission action, ultimately taken, approved a cellular-based telephone service which required no construction activity yet provided telephone service, at reasonable cost, to those who wished it.

The placement of this item on the September 9th Commission agenda was known only to the telephone company and the few Islanders who had concluded that the present system was inadequate to meet their needs and were trying to replace it with something else.

In short, the Commission and its staff took action and approved a proposed replacement phone system for Dog Island without notifying others, in any meaningful way, who might take a view contrary to the staff's or voice serious concerns which have not been addressed. To the frustration and disappointment of many, it appears that this item, whether intentional or not, was passed by the Commission without adequate debate or scrutiny.

Phil Trubelhorn, Engineer
September 26, 1997
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I can assure that, as far I and my wife are concerned, the existing cellular phone service for Dog Island has been perfectly adequate and we have been pleased with its quality, its reliability, its reasonable cost, and its lack of impact on the Island's environment.

I understand that affected persons have twenty-one (21) days to petition for an administrative hearing, this period beginning to run from receipt of the PSC action reduced to a written order. Please send me a copy of the order as soon as it is issued.

I would appreciate a written response, within ten days with as much detail as possible to the following:

1. What advance notice was given of the September 9 agenda item? Why did you or the Company fail to notify those who had previously written or called concerning this subject? Why did not St. Joe give notice, cost effective and practical, by including an insert in its monthly mail out to its Dog Island customers?
2. Your proposed replacement for the existing phone service would require construction activities on the Island and the alteration of its environment, but your proposal leaves much unsaid or non-specific. So please, before the proposed action becomes final and too late to affect, address the following:
 - (i) What is the exact location where any proposed microwave towers will be placed on the Island? How high will they be (please be precise, not estimates)? How will they be lit at night?
 - (ii) Why must be the land lines be buried, with the associated environmental impacts, rather than simply strung along the existing powers poles? If they must be buried, why not also bury the power lines, which are frequently impacted by storm winds and lightening?
 - (iii) If burying land lines is absolutely necessary, what is the width and depth of the trench and how will it be dug in a way that minimizes environmental impact?

I would appreciate you coordinating your written response with St. Joe so that it is something all can depend on. I will promptly share your response with other interested islanders.

Phil Trubelhorn, Engineer
September 26, 1997
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Thank you again for your assistance.

Sincerely,



R. L. Calcen, Jr.
3048 Godfrey Place
Tallahassee, FL 32308

xc: Susan F. Clark, Chairman
Commissioner J. Terry Deason
Commissioner Joe Garcia
Commissioner Diane K. Kiesling
Commissioner Julia L. Johnson
St. Joseph Telephone & Telegraph Company

RLC:kj