

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

IN RE: PROPOSED AMENDMENT TO RULE 25-4.005, F.A.C.,
TRANSFER OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
AS TO ALL OR PORTION OF SERVICE AREA

NOTICE OF PROPOSED RULE DEVELOPMENT

TO

ALL INTERESTED PERSONS

ISSUED: October 8, 1998

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated the development of Rule 25-4.005, Florida Administrative Code, to amend provisions relating to transfer of certificate of public convenience and necessity as to all or portion of service area.

The attached Notice of Proposed Rule Development will appear in the October 16, 1998, edition of the Florida Administrative Weekly. If timely requested and not deemed unnecessary by the Commission, a rule development workshop will be scheduled and duly noticed.

The request must be submitted in writing and received by Diana Caldwell, Associate General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, no later than November 6, 1998.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

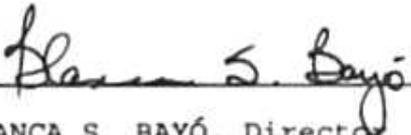
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FPSC RECORDS/REPORTING

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By Direction of the Florida Public Service Commission, this
8th day of October, 1998.



BLANCA S. BAYÓ, Director
Division of Records & Reporting

(S E A L)

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FLORIDA PUBLIC SERVICE COMMISSION

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RULE TITLE: RULE NO.:

Transfer of Certificate of Public 25-4.005

Convenience and Necessity as to All
or a Portion of Service Areas

PURPOSE AND EFFECT: The purpose of the amendment is to eliminate the requirements for a local exchange company (LEC) to provide a complete list of the noticed subscribers to the Commission. Such information contained in the list may be confidential and disclosure of such could violate 364.24, F.S.

SUBJECT AREA TO BE ADDRESSED: Notice requirements when a local exchange carrier requests approval to transfer its certificate.

SPECIFIC AUTHORITY: 364.01(4)(f)(g), 364.336(4), F.S.

LAW IMPLEMENTED: 364.24, F.S.

A WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO THE COMMISSION'S DIVISION OF RECORDS AND REPORTING, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ray Kennedy, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should

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contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-4.005 Transfer of Certificate of Public Convenience and Necessity As to All or Portion of Service Area.

(1) - (b) No Change.

(c) By written notice subject to Commission approval, issued to each subscriber in the area to be transferred concurrent with the filing of the petition. ~~A complete lists, by telephone number (numerical sequence), name, address, and class of service of all subscribers sent a written notice shall be furnished the Commission immediately following distribution.~~

(2) - (3) No Change.

(4) Any subscriber or group of subscribers of a telephone company may petition the Commission for transfer from the service area of such telephone company to that of another telephone company serving contiguous territory. After public hearing, if one is requested, the Commission may, ~~on a finding of just cause,~~ require such transfer and amend the existing certificates of the telephone companies involved or change the exchange service area maps to reflect any changes found justified.

(5) - No Change.

Specific Authority 350.127(2) FS.

Law Implemented 364.335 FS.

History--New 12-1-68, Amended 5-4-81, _____, Formerly 25-4.05.