

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

----- :
: In the Matter of :
: DOCKET NO. 990517-TL :
Request for review of :
proposed numbering plan :
relief for the 904 area :
code. :
----- :

PROCEEDINGS: ST. AUGUSTINE SERVICE HEARING

BEFORE: CHAIRMAN JOE GARCIA
COMMISSIONER J. TERRY DEASON
COMMISSIONER E. LEON JACOBS, JR.

DATE: Thursday, January 27, 2000

TIME: Commenced at 10:15 a.m.
Concluded at 11:17 a.m.

LOCATION: St. Johns County Auditorium
Administrative Center
4020 Lewis Speedway
St. Augustine, Florida

REPORTED BY: MARIE C. GENTRY
Court Reporter

MARIE C. GENTRY & ASSOCIATES
Court Reporters
1279 Kingsley Avenue, Suite 114
Orange Park, Florida 32073

BUREAU OF REPORTING (904) 264-2943

RECEIVED 2-10-2000

1 BETH KEATING, ESQUIRE, Division of Legal
2 Services, Florida Public Service Commission, 2540 Shumard
3 Oak Boulevard, Tallahassee, Florida 32399-0863, Telephone:
4 (850) 413-6234, appearing on behalf of the Florida Public
5 Service Commission.

6 CHARLES J. BECK, ESQUIRE, Office of the Public
7 Counsel, 111 West Madison Street, Room 812, Tallahassee,
8 Florida 32399-1400, Telephone No. (850) 488-9330, appearing
9 on behalf of the Citizens of the State of Florida.

10 PSC STAFF PRESENT:

11 LEVENT ILERI
12 JONATHAN AUDU
13 LENNIE FULLWOOD

14
15
16
17
18
19
20
21
22
23
24
25

I-N-D-E-X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PAGE

Presentation by Mr. Thomas C. Foley.....6

WITNESSES:

DOROTHY RUBINO.....18

RICHARD RUBINO.....32

ROBERT M. WEISS.....42

JAMES M. VANDERGRIFFT.....45

MARY MARTIN.....47

NORA HALL.....50

JIM McCLUSKY.....51

GREG WOOD.....53

JIM CAMERON.....54

CERTIFICATE OF REPORTER.....58

P R O C E E D I N G S1
2 6:00 o'clock p.m.

January 26, 2000

3 - - -

4 COMMISSIONER DEASON: We'll go ahead and call the
5 hearing to order.6 MS. KEATING: By notice issued January 12, 2000,
7 this time and place has been set for a service hearing
8 in Docket 990517. The purpose is as set forth in the
9 notice.10 COMMISSIONER DEASON: Thank you. Let me take
11 this opportunity to welcome everyone to today's
12 hearing. As it has been noticed, this hearing
13 concerns the 904 area code and the fact that there has
14 been a jeopardy declared, which means that we need to
15 be looking at alternatives to relieve the pressure
16 being applied to the area code due to the growth and
17 the problems with communication in general and some
18 competitive pressures we're having in the industry.19 Let me introduce myself. My name is Terry
20 Deason. I'll be conducting the preliminary stages of
21 this hearing. Hopefully Chairman Garcia will be
22 joining us shortly.23 To my left is Commissioner Leon Jacobs. To my
24 right are members of the Staff of the Public Service
25 Commission. They will be assisting with today's

1 hearing.

2 To my far left is Mr. Charlie Beck and he is a
3 representative of the Office of Public Counsel.
4 Public Counsel's Office is an office created by the
5 Legislature, which has the assigned responsibility of
6 representing the consumers in matters before the
7 Florida Public Service Commission. In essence, he is
8 your attorney.

9 We're here to assist you in any way, and,
10 likewise, Mr. Beck is. If there's any particular
11 question you may have of Mr. Beck or any of us, our
12 Staff, we'll be glad to assist you.

13 We're going to begin today's hearing with a
14 presentation by Mr. Tom Foley, the North American
15 Numbering Plan Administrator. He will give an outline
16 of what NANPA is, the problems with the 904 area code,
17 and some of the suggested ways to alleviate the
18 pressures being applied in the area code.

19 When he concludes his remarks, we will make him
20 available for questions, if there are any. He will be
21 in attendance throughout the hearing today, and if any
22 technical question comes up, we'll ask him for
23 assistance on an as-needed basis.

24 I think the Chairman has joined us.

25 We're just doing the preliminaries, Mr. Chairman.

1 At the conclusion of Mr. Foley's presentation, we
2 will then swear in witnesses from the public. This is
3 so your testimony can become part of the record of
4 this proceeding.

5 This proceeding is being recorded by a court
6 reporter, and so when you come forward to the
7 microphone, directly in front of me, we ask that you
8 begin by giving us your name and your address. You
9 may wish to spell your name so that it can be recorded
10 properly in the record.

11 I think that pretty much takes care of the
12 preliminaries.

13 Mr. Beck, do you have anything at this point?

14 MR. BECK: No.

15 COMMISSIONER DEASON: Mr. Foley, you can come
16 forward.

17

- - -

18

THOMAS C. FOLEY,

19 called as a witness, and having been sworn, testified as
20 follows:

21 WITNESS FOLEY: Thank you very much,
22 Commissioner. Mr. Chairman.

23 My name is Tom Foley, and I represent the
24 American Numbering Plan Administration.

25 In July of '95, the Federal Communications

1 Commission took an important step in promoting competition
2 in the telecommunications industry, and they established at
3 that time the North American Numbering Council, which is an
4 industry and governmental group to develop guidelines for
5 the Numbering Administration.

6 They decided at that time that the North American
7 Numbering Plan Administration should be held by a neutral
8 third party and at that time they awarded Lockheed Martin
9 IMS the contract for a five-year period.

10 Changes in business forced Lockheed Martin to
11 divest itself of the business of the North American
12 Numbering Plan Administration and it was assumed by a
13 company called NeuStar, with whom I am employed, late last
14 year.

15 NeuStar is a neutral third-party administrator
16 for Central Office Code Administration and NPA relief
17 planning in the North American Numbering Plan area, which
18 includes Canada, the United States, and most of the
19 Caribbean.

20 What my responsibilities are as a relief planner
21 is I both serve as a coordinator to determine the need for
22 relief, identify the timing of relief, and to provide
23 preliminary plans with the industry to determine an
24 appropriate method of relief that the industry can reach as
25 a consensus to recommend to the Florida Public Service

1 Commission in this case.

2 Upon the recommendation of the industry, we filed
3 with the Commission the appropriate documents to begin the
4 process that they have for determining the best relief
5 alternative, which this is the process we're in right now,
6 and once the order is out as to the method of relief, we
7 coordinate the initial industry efforts for implementation
8 of their plan.

9 Basically there are three types of NPA relief
10 that are used.

11 The first one is the geographic split. That's
12 when an existing NPA is divided into two or more areas.
13 One area gets a new code, the other area remains the old
14 area code.

15 An overlay is requiring the same geography, and
16 more than one area code or NPA serves that area.

17 Another method that is used, not as frequently
18 because of a lot of difficulties with it, however, is a
19 viable option in some cases, is called the boundary
20 realignment. That's where a portion of an adjacent NPA is
21 pulled into an NPA that has difficulty in running out of
22 numbers. And then, of course, there's various combinations
23 of the different alternatives that serve the best plan.

24 The industry has come up with, by consensus, the
25 enlistment of the various attributes of the different types

1 of options.

2 For an NPA split, splits provide a single area
3 code for each geographic area. It may minimize confusion
4 for customers outside of the area. Future splits will
5 reduce the geographic size of even part of it.

6 Splits require an area code change for
7 approximately one-half in the way of a two-way split and
8 two-thirds of the customers in a three-way split.

9 Stationery, business cards and advertising, et
10 cetera, and signs will need to be changed for those
11 customers who receive the new area code.

12 Geographic splits, however, will permit 7-digit
13 local dialing within the smaller home area code. Local
14 dialing across the boundaries, however, is ten digits.

15 The attributes of an overlay are: With an
16 overlay there will be multiple area codes for each
17 geographic area and it will end further shrinkage of the
18 size, the geographic size of the area.

19 Overlays avoid the potential for public and
20 political involvement concerning the split boundaries and
21 on which sides of the line the new number will fall.

22 An overlay will not require existing customers to
23 change their area code. There's no need to revise
24 stationery, et cetera, unless the stationery does not
25 already include the area code.

1 An overlay will, however, require 10-digit
2 dialing for local calls.

3 A subset of an overlay is called a concentrated
4 growth overlay, and we'll see one of these plans here in a
5 few minutes and I want to use some of the options of that,
6 or the attributes of that also.

7 Special and unique monitoring methods not
8 currently available would be required to administer the
9 area outside of this concentrated area. It is difficult to
10 predict the exhaust of the non-overlay area, customer
11 confusion for those people dialing into and out of a
12 concentrated overlay as to which areas are in the overlay
13 and which aren't.

14 In order to preserve the codes necessary, the NPA
15 must be identified as needing relief much sooner and the
16 approval must be obtained sooner to put the plan in place
17 to have available codes for use outside of the concentrated
18 growth overlay area.

19 Concentrated growth overlay minimizes the
20 implementation of 10-digit dialing outside of the
21 concentrated area, and, normally, there's no existing
22 telephone numbers need to be changed.

23 We're here to discuss the 904 NPA, or area code.
24 It includes basically sixteen counties in Northeast
25 Florida, as shown on the map and in the handout that you

1 received today from the Commission.

2 I'd like to give you a little history of what
3 transpired recently with the 904.

4 Jeopardy was declared in April of '99, and
5 jeopardy is when an administrator of the North American
6 Numbering Plan deemed that there were insufficient
7 resources or codes available for the first three digits of
8 your phone number to last before a relief plan could be put
9 into place; and, as a result, the industry gets together
10 to determine the rationing plan to assure that adequate
11 resources are available, at least that limited resources
12 are available until a plan could be put into place.

13 The industry held a planning meeting to discuss
14 these plans that you're about ready to see in June of '99
15 and before a Florida Public Service Commission filing with
16 the industry's recommendation on August 16th.

17 The projected exhaust date for the 904 NPA, with
18 rationing in place, is the fourth quarter of 2001.

19 The first plan discussed by the industry is the
20 distributed overlay, and this is where, like I said before,
21 a new NPA code would be assigned to the same geographic
22 area as the existing 904 NPA. Customers will retain their
23 current telephone numbers; however, 10-digit local dialing
24 would be required. The area code life of this is expected
25 to be approximately 10.1 years.

1 The second plan is the concentrated growth
2 overlay plan, and this is a new NPA code would be assigned
3 to the rate centers in Nassau, Duval and St. Johns
4 Counties, which is indicated on the map by Area A, and it
5 would have to be placed in effect in the third quarter of
6 2002 -- or, excuse me, in 2000. Any unassigned 904 NXX
7 codes would only be used in the area outside of this area
8 and the new NPA NXX codes, or the office codes, would be
9 used inside the overlay area. The life of this is expected
10 to be 11.4 years for Area A and 4.1 years for Area B, and
11 at that time, at the end of the 4.1 years, the entire area
12 would be overlaid with these area codes. That's how the
13 concentrated overlay works.

14 Alternative 3 is a geographic split. It includes
15 Nassau, Duval and St. Johns Counties, as depicted in Area
16 A. Area A would have a life of approximately seven years
17 this way and Area B approximately 14.3 years.

18 Alternative 4 is a geographic split boundary
19 indicated here with Nassau, Duval, Baker, Bradford, Union,
20 Alachua, Columbia, Gilchrist, Lafayette, Suwannee and
21 Hamilton Counties included in one geographic area. These
22 eleven counties in Area A have an expected life of 6.0
23 years and 17 years for Area B.

24 The next alternative is Alternative 5, a
25 geographic split again. The boundary line includes the

1 area of Nassau and Duval Counties in one geographic area
2 and has a life expectancy of approximately 9.5 years, and
3 the remaining area approximately 10.7 years.

4 The last alternative discussed at the industry
5 meeting, Alternative No. 6, was presented at the meeting by
6 a member of the industry, and this was a geographic split
7 where the boundary line runs along the rate centers in
8 Nassau, Duval, Clay and St. Johns Counties, as shown in
9 Area A up here, and that has a life of 5.8 years. Area B
10 would have a life of approximately 17 years.

11 At the industry meeting, consensus was reached to
12 eliminate plans 3, 4, 5 and 6, because the alternatives
13 divide numerous local calling areas and too many customers
14 would have to undergo telephone numbers changes; and, in
15 addition, Alternatives 3 and 4 result in what we call
16 unbalanced lives. One area exhausts much earlier or later
17 than the other ones. Alternative 6 produces a
18 noncontiguous NPA, which is sometimes difficult to
19 understand, as well as NPAs with unbalanced lives.

20 The industry further reached consensus to
21 eliminate Alternative 2, the concentrated growth overlay,
22 for several reasons. There's five of them: The portion of
23 the 904 without the overlay has a short projected life;
24 it's difficult to project and monitor exhaust conditions
25 and divides local calling areas; it would create customer

1 confusion for the area outside as growth occurred; and if
2 competitive local exchange carriers request rate centers in
3 that area, that 4.1 year exhaust life could be drastically
4 shortened very quickly.

5 The participants at the meeting reached consensus
6 to recommend Alternative 1, an all services distributed
7 overlay, to the Florida Public Service Commission. As I
8 said before, that filing was made on the 16th of August.

9 Subsequent to that meeting and request of the
10 Commission, eight other plans have been created.

11 Alternative 7 through 12 were created by the
12 Public Service Commission Staff for consideration. These
13 were not generated by NPA, the North American Numbering
14 Plan Administration, nor have they been reviewed in detail
15 by the companies.

16 At yesterday's meetings, two additional
17 alternatives were offered up by members of the public.

18 Alternative 7 is a geographic split which
19 includes the coastline customers retaining one area code
20 with a life of approximately 2.3 years, and the remainder
21 area will retain one area code with a life of 36 years.

22 Alternative 8 is an overlay and a geographic
23 split in which two area codes are used. A portion of
24 Flagler and Volusia Counties will get a new area code to
25 last 39 years, and the remainder counties get two area

1 codes to last about 15 years. Customers in the Regions A
2 and B will dial ten digits for all their local calls.

3 Alternative No. 9 is called a spotted overlay and
4 geographic split relief plan in which Columbia, Nassau,
5 Duval and St. Johns and portions of Volusia Counties get
6 two areas codes, and the remainder get one new area code.
7 The overlay areas have a life expectancy of about 15 years
8 and the area split-off has a life expectancy of about 36
9 years.

10 Alternative No. 10 is a geographic split boundary
11 extension overlay plan in which Nassau, Duval and St. Johns
12 Counties get two area codes to last 10.1 years; whereas,
13 the remaining use some of the prefixes from the overlay
14 area code and last about 10.2 years.

15 Alternative 11, again, is an overlay and
16 geographic split relief plan in which the coastline
17 customers get two area codes and lasts 15.5 years with this
18 plan, and the remaining area codes will last about 36.2
19 years.

20 Alternative 12 is a geographic split boundary
21 extension overlay relief plan in which the coastline
22 customers again get two area codes, and the remaining area
23 customers share the prefixes of the new area code and will
24 last 10.0 and 10.6 years, respectively.

25 And at the meeting yesterday, an Alternative No.

1 CHAIRMAN GARCIA: I'm sure Commissioner Deason
2 took care of all the preliminaries.

3 What we're going to do now is hear from you, and,
4 clearly, this area is of great interest because, as
5 you notice, it becomes a focal point as you look at
6 the changing boundary and precisely what and how this
7 area fits into the overall scheme of the area code.

8 So we'd like to ask you that when you speak, if
9 you can, you've seen these plans, tell us what you
10 think -- which one you think works best for this area,
11 if you have an opinion, because it will help us make a
12 final determination.

13 Mr. Beck is here representing Jack Shreve, Public
14 Counsel. He is your attorney for these proceedings,
15 so he will call you up, and if you have any questions
16 on anything dealing with these area codes, please ask
17 him, feel free to ask him, or any other issues
18 relating to things that the Florida Public Service
19 Commission has jurisdiction.

20 Is there anything that I've --

21 Do I swear them in?

22 If you are going to speak, I'd appreciate it if
23 you would stand and raise your right hand.

24 (Whereupon, all witnesses present were sworn in
25 by Chairman Garcia.)

1 CHAIRMAN GARCIA: Mr. Beck?

2 MR. BECK: Thank you, Chairman Garcia.

3 My name is Charlie Beck with the Public Counsel's
4 Office.

5 I'm going to call everybody who indicated they
6 wish to speak when you signed in this morning, then
7 after that there will be an opportunity, if anybody
8 else wishes to speak or if you change your mind, there
9 will be an opportunity at the end.

10 Our first witness this morning is Dotti Rubino.

11

- - -

12

DOROTHY RUBINO,

13 called as a witness on behalf of the Citizens of the State
14 of Florida, and having been sworn, testified as follows:

15 WITNESS RUBINO: Good morning. My name is
16 Dorothy Rubino. I live at 6931 N. Oceanshore Boulevard in
17 Palm Coast, Florida.

18 It is almost ironic that you should call me
19 first, because I really don't have comments on the area
20 codes. What I would like to address is the lateral lines
21 that divide where I live from the rest of Flagler County.

22 I live in Flagler County, Palm Coast, about a
23 half mile south of Marineland, and there's a lateral line
24 that divides where I live from the rest of Flagler County,
25 Palm Coast. Therefore, every time I pick up the phone to

1 call where I live is a long distance call.

2 I have written to the Public Service Commission,
3 to the FCC, I have been before the Commissioners of Flagler
4 County, and everyone tells me that there is a lateral line
5 that was established in 1984 by a judge who incorporated
6 this part of Flagler County in with St. Johns County.

7 It's a definite hardship for us. Our medical,
8 our doctors, emergency times when I need to call the
9 Sheriff's Department or get some information during times
10 of evacuation. In the last flood, a hurricane that we had,
11 we couldn't call into Flagler County without incurring a
12 long distance charge.

13 I have tried to get the telephone company,
14 BellSouth, to agree to give me a plan that would allow me
15 to call south of where I live so that I can talk for long
16 periods of time and not incur 25 cents a minute or ten
17 cents a minute, and no one has cooperated.

18 So I'm before the Board this morning and the
19 Commissioners to please find some kind of relief here.

20 There are other people in this area that are
21 having the same problem I'm having. Unfortunately, they're
22 not here for whatever reason, but I don't know where else
23 to go to plead this case.

24 I'm told these lateral lines cannot be moved,
25 that the telephone companies cannot infringe on it. It

1 doesn't seem fair to me that the rest of the county --

2 CHAIRMAN GARCIA: Ms. Rubino, if I could ask you,
3 you are in Palm Coast?

4 WITNESS RUBINO: Palm Coast, Flagler County.

5 CHAIRMAN GARCIA: You're part of Flagler County
6 but the lateral line puts you in St. Johns County?

7 WITNESS RUBINO: Exactly. So everywhere I call
8 local has got to be St. Johns County and north. I
9 cannot call local where I live.

10 I can't call my next-door neighbor. I can't call
11 the Sheriff's Department. I know I needed to call the
12 Sheriff's Department last week. I drove there.

13 CHAIRMAN GARCIA: You're being served by
14 BellSouth?

15 WITNESS RUBINO: Yes, and both sides of that
16 lateral line. On the north and the south side of that
17 lateral line is BellSouth, and I've been in touch with
18 everyone at BellSouth that I could possibly be in
19 touch with, and I've received all kinds of responses
20 that say they will not petition the Public Service
21 Commission to give me a waiver or some kind of relief
22 that would allow me to call where I live.

23 And, in this day and age, I don't understand why
24 that can't be.

25 CHAIRMAN GARCIA: Levent, do you have an answer

1 for how it works?

2 MR. ILERI: Chairman Garcia, I have listened to
3 this case and I have spoken with Ms. Rubino as well,
4 and BellSouth has informed me that we must have a
5 petition before the FCC due to reasons that there are
6 not enough customers to do this.

7 CHAIRMAN GARCIA: How many customers are there?
8 Do we have an idea?

9 WITNESS RUBINO: There are at least probably a
10 hundred customers. But I must be honest with you,
11 some of the people that live there have come from
12 St. Augustine and Jacksonville. They have migrated to
13 that area and they like it just the way it is.

14 CHAIRMAN GARCIA: Right.

15 WITNESS RUBINO: They can call back to where they
16 came from.

17 On the other hand, I came from Palm Coast,
18 Flagler County, and I cannot call where I live. They
19 can call where they don't live. And that doesn't make
20 sense to me, and I'm asking for somebody to take this
21 into consideration and come up with some reasonable
22 response, because I'm not going to rest until it's
23 done.

24 CHAIRMAN GARCIA: All right. Ms. Rubino, let me
25 do this: I'll speak to BellSouth and to some of your

1 local officials and I'll look into what we've got
2 before us and see what can be done.

3 But I think you've pointed out that the problem
4 when you have something like this, the people in your
5 area are tied to the county north of you. The Bell
6 Company can't just simply change the lateral line for
7 a few people.

8 WITNESS RUBINO: But can't they, and I don't mean
9 to be beat you up, but can they offer a plan? Can
10 they offer an individual plan for someone like myself
11 and others who have children that go to school in
12 Flagler County and have this hardship? Can they offer
13 a plan to me that would allow me to call for a flat
14 rate? Like we used to be able to call to Daytona for
15 25 cents and talk as long as you want. Can they allow
16 that?

17 CHAIRMAN GARCIA: Stan, you're up.

18 We have Stan Greer as our BellSouth
19 representative.

20 MR. GREER: Commissioners, as you all are well
21 aware, you know, interlateral is not something that
22 BellSouth could provide right now. Maybe in the
23 future we'll get to it, but right now we don't have
24 that authority.

25 Ms. Rubino is served out of the St. Augustine

1 exchange, so that's why. She states she's in Palm
2 Coast, but from your maps, it looks like Palm Coast is
3 a separate area. But she's served out of
4 St. Augustine and that's where the problem lies. And
5 the lateral line cuts right below St. Augustine.

6 CHAIRMAN GARCIA: Stan, could you provide for me,
7 and I believe the rest of the Commissioners would be
8 interested, how that lateral is divided through Palm
9 Coast --

10 MR. GREER: sure.

11 CHAIRMAN GARCIA: -- and just what effect it has
12 on Flagler County?

13 MR. GREER: Sure.

14 CHAIRMAN GARCIA: Because I think it puts us in
15 the same position that we are trying to resolve with
16 the southern part of this area code shift, which is
17 who belongs to what.

18 Ms. Rubino, there is a problem, and the law
19 doesn't contemplate allowing BellSouth to do this.
20 They're simply not allowed to do this under the
21 current state law.

22 COMMISSIONER DEASON: That's federal law. That's
23 not a state law. It's not a state policy at all.
24 It's federal policy.

25 CHAIRMAN GARCIA: And so the only respite I can

1 assure you is that because of the changing -- the many
2 changes and because of competition, I believe that in
3 some near future with some of these divisions, the
4 lateral lines will change and the significance of
5 these boundaries at some future date are going to be a
6 nonissue because of the way competition works. But
7 for right now, I understand the position you're in.

8 Let me take a look at it and I'll have our Staff
9 take a look at it and see what we can do, because I
10 understand that it does place a hardship on you.

11 The only problem that I see, though, beyond that
12 is that you're going to find that they can't -- they
13 can't do a plan specifically suited to you because the
14 federal law doesn't allow it. And, on the other side,
15 changing a lateral requires that a lot of people are
16 in agreement and there are certain costs involved.

17 But let us look at it, and I promise to get back
18 with you within the next month.

19 WITNESS RUBINO: Can I ask one more question?

20 CHAIRMAN GARCIA: Sure.

21 WITNESS RUBINO: When you set up these area codes
22 and incorporate, if you were to incorporate Flagler
23 County with Volusia County, would that lateral line
24 still be in effect? I mean, we are still Flagler
25 County. So when you're talking Flagler County, you're

1 omitting one, you know, the northeast area of Flagler
2 County in that area code change?

3 CHAIRMAN GARCIA: Most probably, yes.

4 WITNESS RUBINO: Okay.

5 CHAIRMAN GARCIA: We're not looking at changing
6 that lateral line.

7 That's what I wanted to ask you about, if I can.

8 Thanks, Stan.

9 The issue as you saw it, particularly in the area
10 of Palm Coast, because that's a demarcation point of
11 interest -- do you have the green sheet that we passed
12 out?

13 WITNESS RUBINO: My husband has it.

14 CHAIRMAN GARCIA: Do you think you could get it
15 from your husband real quick so I could ask you some
16 questions?

17 Since you live in -- and what we're looking for
18 is your gut reaction. I understand you have a
19 different pull than others because of where you come
20 from. But tell me if you think that that dividing
21 line that we've filmed on Plan 6 -- if somebody can
22 tell her what page would have it.

23 Page 11.

24 WITNESS RUBINO: Page 11? Okay.

25 CHAIRMAN GARCIA: And I understand that the area

1 we were just talking about is precisely where that
2 dividing line is crossed. I understand the problem.

3 Putting aside the personal problem that you have
4 right now, I'd like to ask you if you think that's a
5 natural dividing area? Do you think that --

6 WITNESS RUBINO: I think the natural dividing
7 area should be a geographical county line.

8 CHAIRMAN GARCIA: All right. Well, let's say
9 that that were a -- let's assume -- do you think that
10 that's a natural -- that that's dividing your
11 community too severely?

12 WITNESS RUBINO: No.

13 CHAIRMAN GARCIA: Do you think that most of the
14 people -- you mentioned that a lot of your
15 neighbors --

16 WITNESS RUBINO: Yes.

17 CHAIRMAN GARCIA: -- come from St. Johns.

18 WITNESS RUBINO: Right.

19 CHAIRMAN GARCIA: So I assume that that would be
20 true even more so to the north of you.

21 WITNESS RUBINO: Uh-huh.

22 CHAIRMAN GARCIA: So their community of interest
23 in St. Johns pulls to the north, not to the south?

24 WITNESS RUBINO: Right. But there are -- there
25 is a lot of people and much development going on there

1 now. As a matter of fact, directly across the street
2 from our property where we live there's 50 acres that
3 has just been sold that will be developed into many
4 individual homes, and I would imagine that many of
5 those people will be coming from Palm Coast, Flagler
6 County, moving in there, not from the other direction.
7 So it will affect them as far as where they can call
8 local and not call local.

9 CHAIRMAN GARCIA: Ms. Rubino, part of what I
10 wanted to know is exactly how many people are in this
11 position, in other words, that are being served by the
12 St. Johns exchange -- I'm sorry -- St. Augustine
13 exchange that are part of Flagler County.

14 MR. GREER: Okay.

15 WITNESS RUBINO: Before we moved there I lived
16 about a thousand feet south of there. Now, I had
17 local calling to Palm Coast. I never for one minute
18 dreamed that when I moved a thousand feet away I would
19 be connected to --

20 CHAIRMAN GARCIA: How much money is that costing
21 you out of curiosity?

22 WITNESS RUBINO: Well, the phone bill -- I'm
23 trying to be very conservative, but it costs me
24 anywhere from thirty to forty dollars extra a month.
25 When I look at not only the long distance calls I must

1 make where I live, but I make long distance calls to
2 my family back up north. So when you put that all
3 together, it's a hardship.

4 CHAIRMAN GARCIA: I see.

5 WITNESS RUBINO: So I try to eliminate -- I maybe
6 get in the car and drive somewhere rather than make a
7 phone call if I'm going in that direction.

8 So it's a hardship.

9 CHAIRMAN GARCIA: Okay. One other question,
10 Ms. Rubino, for myself. Are there any other plans
11 that you saw that runs through, since you're from this
12 area, that you found particularly appealing?

13 WITNESS RUBINO: No, but I'm sure my husband has.

14 CHAIRMAN GARCIA: Okay. So he can --

15 WITNESS RUBINO: He's much more technical than I
16 am. He can give you that.

17 CHAIRMAN GARCIA: Great. Thank you.

18 WITNESS RUBINO: I appreciate being able to come
19 here today and to let you know what I'm -- what we're
20 dealing with and have some hope that maybe things can
21 change.

22 CHAIRMAN GARCIA: Well, we'll guarantee you that
23 long-term things will change. We've seen a lot of
24 these divisions where they come down in certain areas.

25 Unfortunately, when they drew these lateral

1 lines, they are there and the feds put them there and
2 we can do very little about them.

3 COMMISSIONER DEASON: And we have attempted in
4 the past to do things with the lateral boundaries and
5 we've had very limited success at the federal level.

6 WITNESS RUBINO: Okay. Well, you mentioned that
7 BellSouth cannot offer anything because legally the
8 Federal Government has set this line. But couldn't
9 the company -- I mean, what is to stop the company
10 from saying, "I will offer you a plan that will allow
11 you to call on either side, north or south, because
12 they're on both sides."

13 What stops them from offering that on their own
14 without --

15 CHAIRMAN GARCIA: Because the judge said they
16 couldn't. The judge said -- I think it was 1984. Am
17 I correct in that?

18 WITNESS RUBINO: Correct.

19 CHAIRMAN GARCIA: Judge Green's decision did this
20 and said to BellSouth you cannot do this.

21 Now, there is some hope for you. BellSouth will
22 probably be filing with our Commission sometime in the
23 next year for the ability to do long distance, and
24 once BellSouth gets into the long distance market, it
25 should be assumed that to some degree that these

1 lateral lines, their significance begins to disappear
2 because they are arbitrary --

3 WITNESS RUBINO: Uh-huh.

4 CHAIRMAN GARCIA: -- they were just drawn
5 there --

6 WITNESS RUBINO: Right.

7 CHAIRMAN GARCIA: -- to break up the larger
8 companies.

9 And we expect in the next year or two BellSouth
10 will be successful in that petition at some point and
11 so that these types of divisions are not going to be
12 there.

13 WITNESS RUBINO: If another company is coming in
14 as competition to BellSouth and they can offer --

15 CHAIRMAN GARCIA: Yes, they can.

16 WITNESS RUBINO: The lateral lines do not -- they
17 can do whatever they like with these lateral lines?

18 CHAIRMAN GARCIA: Let me give you an example. I
19 live in Miami --

20 WITNESS RUBINO: Uh-huh.

21 CHAIRMAN GARCIA: -- but I work in Tallahassee
22 Monday through Friday, so what I am doing is getting
23 rid of my local phone because my cellular phone offers
24 me ten cents a minute anywhere. Since I spend most of
25 my time traveling, you know -- I'm not saying that ten

1 cents a minute is a good rate, but it's a much better
2 rate than my local phone bill. And what will happen
3 is that your -- the long distance portion of your
4 bill, if you notice, has five cents a minute in
5 certain areas and it keeps coming down.

6 WITNESS RUBINO: Uh-huh.

7 CHAIRMAN GARCIA: You will probably find that in
8 some companies the long distance factor will begin to
9 diminish. In other words, they will charge you for
10 other things, but long distance will become hardly
11 there, billed, in fact, to your bill or some portion
12 of your long distance.

13 WITNESS RUBINO: Well, another situation is we
14 cannot -- the cell phone will not work in the area we
15 live.

16 CHAIRMAN GARCIA: I just tried to call my wife.

17 WITNESS RUBINO: So the area, the towers and it's
18 too far distance, and so the cell phone -- we've
19 already tried. We've gone every route allowable and
20 it's not possible.

21 So I appreciate taking the time, and thank you
22 very much.

23 COMMISSIONER JACOBS: Ms. Rubino, did I
24 understand you to say earlier that you have a plan
25 that allows you to call flat rate to Daytona?

1 talking about previously, in that half mile from Marineland
2 south, which is actually the border of St. Johns County and
3 Flagler County, there is about a hundred families and
4 almost every oceanfront lot is now being built on, and
5 these huge tracts of land across from the ocean are now
6 being developed.

7 In that short half mile, things are going to
8 change rapidly in the next couple of years according to the
9 real estate agents in our area, so I suspect that the
10 number of phone line requirements are going to increase
11 dramatically.

12 Several things that I think are of paramount
13 interest to us as a result of this significant change in
14 our phone service is -- I am a disabled person. I have a
15 heart problem. And, as a result of that, living in Flagler
16 County, I must use the HMOs offered in Flagler County and
17 cannot use the doctors and services offered in St. Johns
18 County. That puts a burden on us immediately because every
19 phone call that I must make or they must make, which is not
20 pleasing to them either. If you say, "Call me on the
21 phone," they did not realize that was a long distance call,
22 it makes it very difficult for me to respond to the
23 emergency needs. All the hospitals and all of the doctors
24 are in Flagler County or Volusia County.

25 So that's a significant part of our lifestyle and

1 presents a significant concern for us, because along with
2 that, we've had discussions with the fire chief and the
3 emergency people in Flagler County. Living along the
4 ocean, I accept the fact that I'm maybe not going to get as
5 instant a reply from 911 medical emergency as people living
6 across the bridge. But I also found out that the 911 gets
7 routed to St. Augustine first and comes back to Flagler
8 County. Well, that's an accident waiting to happen.

9 I grew up and worked in NASA, in aerospace, and I
10 know about redundancies, how redundancy can create a lot of
11 problems if the links begin to fail. I don't need two
12 links to get a 911. I would prefer one link. But that's
13 not the case.

14 So everything in 911 transfers up to
15 St. Augustine and then comes back to Flagler. Whether that
16 can narrow seconds, lower seconds, or seconds, I'm not
17 sure. The point is it's another system in the process that
18 can fail and cause a problem that's unnecessary both for me
19 and all the families that have physical problems, medical
20 problems living in that area, and they are mostly retired
21 folks.

22 We also --

23 CHAIRMAN GARCIA: You said that there's only
24 about a hundred families?

25 WITNESS RICHARD RUBINO: Yes, about a hundred

1 families.

2 CHAIRMAN GARCIA: And your wife was talking about
3 the fact that it's about to expand.

4 WITNESS RICHARD RUBINO: Yes. In fact, across
5 the street from us, a 50-acre tract, I think the
6 gentleman is intending to put in fifty residential
7 homes.

8 CHAIRMAN GARCIA: Is this a bedroom community,
9 though, to St. Augustine, Jacksonville? In other
10 words, is that what it is, or is it a community of its
11 own part of Flagler?

12 WITNESS RICHARD RUBINO: I think its a community
13 of its own part of Flagler.

14 It happens to be because of the 1984 -- I
15 understand. Back in '84 Palm Coast was nonexistent.
16 There was no belt of Palm Coast up in this corner. It
17 was, in fact, more convenient to latch into St. Johns
18 County, because they came down at least to Marineland,
19 serviced Marineland since '78, so just adding in these
20 homes within that quarter of a mile was a very simple
21 thing to do, because there was no water, there was no
22 phone service out there for Palm Coast, Flagler. But
23 things have changed. And, as the changes occurred,
24 like everything else, change now has to take place for
25 those of us who still reside in Flagler County or are

1 in this quarter-mile zone.

2 CHAIRMAN GARCIA: I would ask those people in
3 that quarter-mile zone, I would ask them -- your wife
4 talked about the fact that a lot of them are from the
5 north.

6 WITNESS RICHARD RUBINO: I don't feel that way.
7 I think what's got my wife a little bit concerned,
8 because when we went before our Board of Commissioners
9 in Flagler County, we kind of dropped the ball. We
10 really did not use the political system the right way.
11 And I feel like this is partially a political problem,
12 because I can understand BellSouth's motivation not to
13 want to do these little individual things because
14 their goal is to get long distance calls. And, if
15 they nitpick at these problems, which are in effect
16 part of this long distance solution for them -- they
17 aren't shooting themselves in Florida. And I've had
18 this conversation with these people and I think that's
19 a reasonable solution or a reasonable conclusion to
20 come to from that discussion is that why should they
21 shoot themselves in the foot to try to get the whole
22 thing straightened out in a year or two, and, in the
23 meantime, this has to be dealt with.

24 I personally think that the people at that end of
25 Flagler County are truly Flagler County people and

1 that the -- if you'll look at the amount of people
2 that presented themselves at the Commissioners'
3 meeting, they got twenty signatures that say we don't
4 want anything to change because we're comfortable with
5 our process.

6 But we know, for example, the people next door
7 kind of got bludgeoned into signing that piece of
8 paper. We did not get a petition up because we didn't
9 think that -- because that issue was not urgent, but
10 since we've been proven wrong, my own gut feeling is
11 if we went in and explained to the people that they're
12 not going to get a \$50 surcharge and change in
13 numbers, just like we were told, and explain to them
14 the details of the problem, they would not have signed
15 this petition. They would have let the chips fall
16 where they may.

17 My own opinion is, if we go in and do a real
18 door-to-door, we'd probably find the majority of them
19 would prefer to have the Flagler County service,
20 because they're much in the same position as I am.

21 CHAIRMAN GARCIA: All right. What we're going to
22 do, like I told your wife, we'll get back to you later
23 this month after BellSouth responds. We can't deal
24 with it in this docket, but we will get back to you
25 and see what options are available to you and what we

1 can try to do.

2 COMMISSIONER DEASON: Mr. Greer, the only
3 immediate remedy of this problem is an exchange
4 boundary change?

5 MR. GREER: I'm still not sure that would fix
6 your problem, because you still have the problem with
7 the lateral line. So even if you made the boundary
8 change, then essentially you would still have those
9 customers that are on the north side of the lateral
10 line that we would still not be able to take it any
11 further south.

12 COMMISSIONER DEASON: Oftentimes doesn't the
13 Federal Government view an exchange boundary change as
14 a prima facie showing that the lateral boundary needs
15 to be changed?

16 MR. GREER: I would expect, yes.

17 COMMISSIONER DEASON: So it would be true that
18 probably -- it most probably have to be an exchange
19 boundary change and then there would have to be a
20 petition to the FCC to also change the lateral
21 boundary?

22 MR. GREER: Right.

23 COMMISSIONER DEASON: And before we would change
24 the exchange boundary line, we would ballot all the
25 customers to see if they want a change to begin with;

1 right?

2 MR. GREER: You would ballot the customers, you
3 would, you know, look to see what the cost, because
4 there would be a cost to move them south, but, yes.

5 COMMISSIONER DEASON: So that would be the
6 process?

7 MR. GREER: I would think that would be the
8 process.

9 CHAIRMAN GARCIA: Okay. We're going to lay that
10 out for you and we'll probably ask your local
11 officials, if you're serious about this.

12 WITNESS RICHARD RUBINO: Yes, we are.

13 CHAIRMAN GARCIA: So we'll do that in a separate
14 docket and Mr. Greer will be very helpful in giving us
15 some information.

16 WITNESS RICHARD RUBINO: In response to your
17 question about the green sheet, it's a little tough to
18 pick a position on the green sheet because the
19 boundaries shown on the green sheet, part of the
20 geographic boundaries are not the lateral boundaries.
21 So when I look at these pictures, I have to kind of
22 put a little band in there and say, okay, now I've got
23 to alter this like this because I'm in this exchange.

24 COMMISSIONER JACOBS: I was just trying to follow
25 up on that thinking maybe one -- well, on the green

1 sheet you don't have it.

2 WITNESS RICHARD RUBINO: Right.

3 COMMISSIONER JACOBS: But I think there's one
4 that does show -- there's a little box here.

5 MR. GREER: Commissioner, you should realize that
6 the green sheet shows everything fits nice and neat in
7 the little counties, and wire centers don't follow the
8 county boundaries. So how much they deviate, then
9 you'd have to look at the individual wire center.

10 CHAIRMAN GARCIA: Like I say, I'm going to ask
11 you to pretend that everything was right in your
12 section of the woods in Palm Coast, tell me which one
13 of these makes sense to you as a resident of this part
14 of the state. In other words, looking at -- one of
15 the plans that sort of made sense to me and is making
16 more sense is Plan 6. Does that make sense to you?

17 WITNESS RICHARD RUBINO: Yes.

18 CHAIRMAN GARCIA: Let me ask you this --

19 WITNESS RICHARD RUBINO: And it happens that you
20 ruled it out.

21 CHAIRMAN GARCIA: The industry ruled it out.
22 They're wrong more often than not.

23 WITNESS RICHARD RUBINO: I agree.

24 CHAIRMAN GARCIA: For example -- there was
25 another one that I wanted to ask you about which was

1 earlier on. I guess 4, which I guess changes to 4, 4
2 and 5.

3 WITNESS RICHARD RUBINO: But the problem I have
4 with some of these -- and maybe you can answer the
5 question.

6 CHAIRMAN GARCIA: Sure.

7 WITNESS RICHARD RUBINO: -- is the disparaging
8 between the two solutions, like in 4, it's 17 years
9 and 6 years.

10 CHAIRMAN GARCIA: Let me tell you what will
11 typically happen in that type of scenario is that the
12 sixth year keeps 904, so they haven't really
13 experienced the change.

14 WITNESS RICHARD RUBINO: Right.

15 CHAIRMAN GARCIA: But the bad news is, obviously,
16 that when it goes longer, they'll get a new area code
17 but then will not experience a change for a lot longer
18 time.

19 But here's the question, because I think only
20 you can answer it and you're probably in the
21 appropriate place to answer the question.

22 Does St. Johns fit into the southern part of this
23 overall picture, looking at 4, or is St. Johns more a
24 part of the Duval aspect? In other words --

25 WITNESS RICHARD RUBINO: I would be honest, but I

1 think that St. Johns is more involved with the
2 southern perspective.

3 CHAIRMAN GARCIA: That's different than what
4 we've heard, but that's fine. I appreciate that.

5 WITNESS RICHARD RUBINO: And, again, I'm simply
6 reviewing it from the people I'm in contact with in
7 St. Augustine. Their transition to me when we talked
8 is south, not necessarily north 40 or 45 miles.

9 CHAIRMAN GARCIA: Well, clearly, that's one of
10 the issues, to the south. As Commissioner Jacobs was
11 pointing out, these are some of the fastest growing
12 counties in our state. So getting an understanding of
13 that so we don't get cases like yours again.

14 Okay?

15 WITNESS RICHARD RUBINO: Thank you very much.

16 CHAIRMAN GARCIA: Thank you. We will be getting
17 in touch with you within the month. All right?

18 MR. BECK: Thank you.

19 (Witness excused.)

20 - - -

21 MR. BECK: Our next witness is Bob Weiss.

22 ROBERT M. WEISS,

23 called as a witness on behalf of the Citizens of the State
24 of Florida, and having been sworn, testified as follows:

25 MR. WEISS: Mr. Chairman, and Commissioners, we

1 again appreciate the opportunity to be before you.

2 As you know, you realize now we've taken the
3 opportunity to speak to you everywhere you've had a
4 session. We started yesterday with you in Lake City and
5 plan to go through this process.

6 We appreciate more than you know the courteous
7 attention you've given to our problem and also appreciate
8 the participation in our county.

9 Almost everyone here has traveled a pretty good
10 distance to come to these away-from-home hearings.

11 This morning what we'd like to do is again just
12 reiterate to you that all we're trying to in this process
13 is to make you aware fully of our situation in Volusia
14 County.

15 As we promised during the five sessions, we plan
16 to put representatives of our national representation,
17 Congressman Mica's office, state officials, county, and
18 officials in our major cities, Volusia Council of
19 Governments, our schools, our business community and our
20 citizenry, before you to hopefully show you a very unified
21 position on what we're asking for.

22 Again, hopefully, we've kind of painted a picture
23 that our county is growing on both ends, the east side and
24 west side, east side, of course, with the booming
25 coastline, along with the events that take place here in

1 and around the Atlantic Coast, and then the explosion in
2 our southwest portion, most especially in Deltona, and the
3 county seat sitting in the middle of all that in DeLand.

4 And I think -- I know you all recognize that
5 right now we're separated in our county, two-thirds and
6 one-third, by a lateral boundary. We also have three NPAs
7 or area codes in our county right now, and the southwest
8 portion being separated from the rest of the county. And
9 what we're here pleading for is a correction to this
10 situation.

11 Again, I did want to say that -- I think we made
12 the point last night -- that we're not here to win at the
13 expense of somebody else. We're not here to do that.
14 We're looking at a win-win situation, which I know is what
15 you're looking for, where we can get a remedy to our
16 situation without hurting somebody else, that some of the
17 earlier alternatives will be favored. We realize, of
18 course, some other people in the 10-digit dialing, which
19 probably they didn't want either.

20 We're trying now to take a position and you will
21 hear support today for No., I think, Alternative 14, again,
22 not because of the prior authorship, because we put it
23 forward yesterday, but because it seems to make sense to
24 us, but also, I think, No. 6 and No. 5 is also fully
25 acceptable to us.

1 We also would like to make the point just very
2 quick that we don't -- the other point is very viable as
3 we're talking about the whole county. I realize this
4 docket is dealing with 904, but we have a little piece of
5 our county, a rather sizable piece of our county now that's
6 in the 407 area code or as being overlaid with 321. As we
7 agreed yesterday, we'd like that treated as part of this
8 process in whatever area code you give us.

9 This morning we have eight speakers to speak to
10 you briefly, a couple of which you heard yesterday, but,
11 again, each meeting has some new faces, new personalities
12 to bring you another insight on where we are here.

13 What I'd like to start out with, though, this
14 morning is a couple of our elected officials from our major
15 cities. Yesterday you heard from the Vice-Mayor of New
16 Smyrna Beach. Today we have the Mayor from the City of New
17 Smyrna Beach.

18 JAMES L. VANDERGRIFFT,
19 called as a witness on behalf of the Citizens of the State
20 of Florida, and having been sworn, testified as follows:

21 WITNESS VANDERGRIFFT: Good morning, Mr. Chairman
22 and Commissioners. It's my pleasure to be up here this
23 morning and I know you've taken this time because you have
24 a difficult decision to make in this area.

25 Let me just spell my last name for you because

1 it's difficult from time to time. It's V-, as in Victor,
2 -a-n-d-e-r-g-r-i-f-f-t. And, as Mr. Weiss said, I am the
3 Mayor of New Smyrna Beach.

4 We have a lot of concerns in Volusia County, as
5 Mr. Weiss said, and I certainly concur with all he says, so
6 I won't repeat that.

7 We have been broken up. I think our major
8 purpose is trying to keep Volusia County intact with an
9 area code at no one else's expense. We would certainly
10 like to see a win-win for everybody.

11 Jacksonville, being one of the largest cities in
12 the nation, we understand, 904 is probably going to be up
13 there, and we concur with that.

14 We would just like to see Volusia County, as I
15 said before, intact.

16 We're a united county in this respect, been
17 talking about it for a long time knowing that this area
18 code issue was going to come up. We're a growing county,
19 reaching almost a half a million folks right now. So I
20 think it's very important from a business perspective and
21 all our business leaders in Volusia County.

22 I'm a small business person myself and a lot of
23 my business is through Volusia County and certainly can't
24 imagine having more than one area code. Even though it's
25 broken up right now, we hope that will be remedied soon.

1 citizens have one area code and the remaining two-thirds
2 have a separate area code.

3 This is about to be compounded even more by the
4 overlay of the third area code in our county with the need
5 to divide the 904 area code, which is what we talked about,
6 the overlay of the 321 system.

7 Now you have an opportunity to unite Volusia
8 County.

9 Think about this. You have the potential in one
10 part of our county to have properties located directly
11 across from one another which would have two separate area
12 codes and you're talking about a very similar condition as
13 what they're talking in Palm Coast.

14 But, in Volusia County, you have, as I was going
15 to say, neighbors, the person across the street or next
16 door, has a separate area code.

17 This is an inconvenience, this is a detriment to
18 the business, and it is a vision which can be rectified.

19 The Volusia County Council of Governments met
20 some months ago to look at the issue of a unified area code
21 for Volusia County, and this group, composed of sixteen
22 cities, the county, the Volusia County School Board, the
23 public hospitals, and the community college, established
24 the Volusia Unified Area Code as a top priority

25 In our opinion, any overlay plan that includes

1 multiple area codes in Volusia County continues and
2 possibly expands a confusing situation.

3 In our city's opinion, multiple area codes in a
4 small geographic area are divisive and bad for both
5 residents and the business community.

6 We understand that Volusia County does not have
7 enough telephone subscribers to justify an exclusive area
8 code. We fully realize that Volusia County would have to
9 share an area code with surrounding counties. Although our
10 county would prefer its own area code, sharing a single
11 area code with adjacent counties would be acceptable.

12 We would ask the PSC would review the projected
13 needs for telephone numbers in the future and divide the
14 area so that area codes will not have to be changed in the
15 immediate future.

16 Many of us can recall having the same decision
17 just a short time ago when the 904 area code was divided.
18 Changing area codes is expensive for the telecommunications
19 company as well as for government and business.

20 Finally, we request that the PSC establish an
21 implementation schedule that would allow ample time for
22 consumers to make adjustments to the change in area code
23 numbers.

24 And, with that, I'd like to thank you and I
25 appreciate having the chance to speak.

1 CHAIRMAN GARCIA: Thank you, Commissioner.

2 (Witness excused.)

3 - - -

4 MR. WEISS: We're in the city portion of our
5 presentation, but I'd like to kind of step out of line
6 here for just a moment.

7 We have a representative from Congressman John
8 Mica's office, which is Representative Nora Hall, here
9 to help us with this united issue. I'm going to ask
10 her because she has an early appointment.

11 NORA HALL,
12 called as a witness on behalf of the Citizens of the State
13 of Florida, and having been sworn, testified as follows:

14 WITNESS HALL: Good morning. Thank you for the
15 opportunity. I am here representing Congressman Mica. My
16 name is Nora Hall. That's N-o-r-a H-a-l-l. I live at 1316
17 Overland Drive, Ormond Beach.

18 The congressman is wholeheartedly supportive of
19 one area code in Volusia County. I'm just here to support
20 his position on it.

21 CHAIRMAN GARCIA: Thank you.

22 MR. WEISS: Thank you, Nora, very much.

23 (Witness excused.)

24 - - -

25 MR. WEISS: For the City of DeLand is Jim

1 McClusky. Just another word from him. If you'd come
2 up.

3 JIM McCLUSKY,
4 called as a witness on behalf of the Citizens of the State
5 of Florida, and having been sworn, testified as follows:

6 WITNESS McCLUSKY: Good morning. Thank you very
7 much. I'll try not to repeat.

8 You have some number crunchers that work for you.
9 My only question is, if we go with Alternative 14, it does
10 not include DeBary and Deltona.

11 We have projected Area C to have a 20- to 30-year
12 life span.

13 My first question is, if we include Deltona and
14 DeBary in Alternative 14, what does that do to the year
15 projection for Area C, and would that have any effect on
16 our decision?

17 And then the other issue is just a plain zoning
18 one. What's the procedure after we go through this whole
19 process to reunite our county since we can't bring that in
20 at this level? How procedurally would that happen,
21 Chairman Garcia?

22 CHAIRMAN GARCIA: First of all, I think we're
23 looking at that here in this docket. Correct me if
24 I'm wrong.

25 MR. ILERI: Mr. Chairman, Mr. McClusky, we're

1 putting it into this docket about that possibility,
2 bringing those two parts of the county in. We're
3 dealing with the lateral line.

4 WITNESS McCLUSKY: So that -- when I heard you
5 talk about lateral lines and federal jurisdiction --
6 So you do have jurisdiction to change --

7 MR. ILERI: Each particular type, yes.

8 WITNESS McCLUSKY: -- with this entity?

9 MR. ILERI: Correct.

10 WITNESS McCLUSKY: So we don't have a federal
11 problem.

12 And then you could crunch the numbers and see
13 what it does to the 20 --

14 CHAIRMAN GARCIA: Yeah. They'll do that.
15 They're going to run both those numbers and create --
16 they'll probably need from you the growth pattern,
17 what you're seeing in growth. They may need to have
18 that.

19 MR. ILERI: I believe I have the previous growth
20 rate.

21 WITNESS McCLUSKY: And our department is
22 preparing those documents that you requested showing
23 the drawings of the different districts down there.

24 CHAIRMAN GARCIA: Thank you.

25 (Witness excused.)

1 Commerce.

2 I reported to our chamber board. We had a
3 meeting this morning. I reported the hearing last night,
4 and I was instructed to again reiterate our chamber's
5 recommendation for a plan that would create a single area
6 code for Volusia County and neighboring counties as well.

7 Again, we prefer a plan that would maintain
8 7-digit dialing, the reason being customer service. That's
9 a major factor with our business community, businesses
10 maintaining the best communications with their clientele.
11 This is vitally important.

12 Volusia County right now, as you heard, has two
13 area codes and oftentimes calls made between East Volusia
14 County, and especially like Southwest Volusia County with
15 the 407 area code often causes confusion.

16 You might remember or might note County
17 Councilwoman Ann McFall mentioned last night that she had
18 gotten a number of calls or had a number of calls misplaced
19 like that, and I have done the same thing as well.

20 But, again, we believe that the proposed
21 Alternative 14 will provide the best alternative for
22 Volusia County, and the main point is that we want to
23 maintain the longest life for our area code for Volusia
24 County.

25 Again, we believe that 14 will be the best

1 alternative for us.

2 (Witness excused.)

3 - - -

4 MR. WEISS: Mr. Chairman, we had a couple of
5 other people that spoke before. Dr. Outterson is here
6 again, who created Plan 14, and a representative from
7 DeLand is here. Unless the Commissioners have some
8 questions, we'll not bore you with more speakers
9 saying the same thing.

10 We would like to again thank you and say that 14
11 is our choice. We like 6 as well. Again, I guess the
12 message has been very clear.

13 I guess just to wrap it up, I would say that this
14 -- I don't know if you all are sports fans or not, but
15 this kind of ends the load grow point of our schedule.
16 We'll see you in Volusia County for the last two
17 sessions.

18 CHAIRMAN GARCIA: Well, the phone game for
19 Volusia County will be at 4:00 p.m. at 301 South
20 Ridgewood Avenue.

21 We ask Mr. Foley, since the Volusia folks are so
22 long, for him to make his presentation a bit quick,
23 because although it's a home game, they have limited
24 time in the stadium. So we'll try to be quick about
25 that.

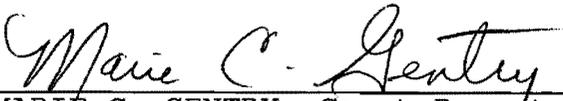
C-E-R-T-I-F-I-C-A-T-E

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF FLORIDA)
COUNTY OF CLAY)

I, MARIE C. GENTRY, do hereby certify that the matter of request for review of proposed numbering plan relief for the 904 area code, Docket No. 990517-TL, was heard by the Florida Public Service Commission on January 27, 2000; that I was authorized to and did report in shorthand the proceedings and evidence in said proceedings and that the foregoing pages numbered 1 through 57, inclusive, constitute a correct record of the proceedings in said matter.

DATED this 9th day of February, 2000.



MARIE C. GENTRY, Court Reporter