

MINUTES OF

COMMISSION CONFERENCE, TUESDAY, SEPTEMBER 5, 2000

COMMENCED: 9:30 a.m.

ADJOURNED: 3:45 p.m.

COMMISSIONERS PRESENT: Chairman Deason
Commissioner Jacobs
Commissioner Jaber
Commissioner Baez

Parties were allowed to address the Commission on items designated by double asterisks (**).

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- 1 Approval of Minutes
August 1, 2000 regular Commission Conference

DECISION: The minutes were approved.

Commissioners participating: Deason, Jacobs, Jaber

- 2** Consent Agenda

PAA A) Applications for certificates to provide pay telephone service.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
000988-TC	Kenneth Eric Holcomb d/b/a Innovative Communications
001125-TC	Thomas R Arbuckle d/b/a Flying Chile Pepper

PAA B) Applications for certificates to provide alternative local exchange telecommunications service.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
000787-TX	Ocius Communications, Inc.
000720-TX	Edge Connections, Inc.
000724-TX	XSPEDIA Corp.
000784-TX	Structus TeleSystems, Inc.

PAA C) Applications for certificates to provide interexchange telecommunications service.

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<u>ITEM NO.</u>	<u>CASE</u>
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2**	Consent Agenda
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<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
000791-TI	ServiSense.com, Inc.
000719-TI	Edge Connections, Inc.
000351-TI	Next Communications, Inc.
000693-TI	Coral Telecom, Inc.
000710-TI	Madison River Communications, LLC
000775-TI	Nationnet Communications Corporation
000783-TI	Structus TeleSystems, Inc.

PAA D) DOCKET NO. 001124-TX - Request for cancellation of Alternative Local Exchange Telecommunications Certificate No. 7420 by Concentric Carrier Services, Inc., effective 7/31/00.

PAA E) Requests for cancellation of interexchange telecommunications certificates.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
001123-TI	Concentric Carrier Services, Inc.
000879-TI	Golden Harbor of Florida, Inc. d/b/a Hometown Telephone of Florida, Inc.

F) Requests for approval of resale agreements.

DOCKET NO. 000809-TP - ALLTEL Florida, Inc. with EZ Talk Communications, L.L.C.
 (Critical Date: 9/25/00)

DOCKET NO. 000834-TP - Verizon Florida Inc. (f/k/a GTE Florida Incorporated) with Cat Communications International, Inc.
 Critical Date: 10/9/00)

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<u>ITEM NO.</u>	<u>CASE</u>
2**	Consent Agenda (Continued from previous page) G) DOCKET NO. 000751-TP - Petition by Verizon Florida Inc. (f/k/a GTE Florida Incorporated) for approval of amendment to existing resale agreement with 1-800-RECONEX, Inc. <p style="text-align: right;">(Critical Date: 9/19/00)</p> H) Requests for approval of interconnection agreements. DOCKET NO. 000835-TP - Verizon Florida Inc. (f/k/a GTE Florida Incorporated) with PrimeCo Personal Communications, L.P. d/b/a Verizon Wireless. <p style="text-align: right;">(Critical Date: 10/9/00)</p> DOCKET NO. 000887-TP - BellSouth Telecommunications, Inc. with ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom. <p style="text-align: right;">(Critical Date: 10/18/00)</p> I) Requests for approval of amendments to interconnection agreements. DOCKET NO. 000799-TP - BellSouth Telecommunications, Inc. with World Access Communications Corp. <p style="text-align: right;">(Critical Date: 9/25/00)</p> DOCKET NO. 000844-TP - BellSouth Telecommunications, Inc. with DSLnet Communications, LLC. <p style="text-align: right;">(Critical Date: 10/10/00)</p> DOCKET NO. 000845-TP - BellSouth Telecommunications, Inc. with Rhythms Links Inc. <p style="text-align: right;">(Critical Date: 10/10/00)</p> DOCKET NO. 000846-TP - BellSouth Telecommunications, Inc. with Business Telecom, Inc. d/b/a BTI. <p style="text-align: right;">(Critical Date: 10/10/00)</p> DOCKET NO. 000853-TP - BellSouth Telecommunications, Inc. with ALLTEL Communications, Inc. <p style="text-align: right;">(Critical Date: 10/11/00)</p>

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DOCKET NO. 000854-TP - BellSouth Telecommunications, Inc.
with Sprint Communications Limited
Partnership.
(Critical Date: 10/11/00)

J) Requests for approval of amendments to interconnection
and resale agreements.

DOCKET NO. 000753-TP - Sprint-Florida, Incorporated with
DSLnet Communications, LLC.
(Critical Date: 9/19/00)

DOCKET NO. 000848-TP - Sprint-Florida, Incorporated for
with New Edge Network, Inc. d/b/a
New Edge Networks.
(Critical Date: 10/10/00)

K) DOCKET NO. 000765-TP - Petition by Verizon Florida Inc.
(f/k/a GTE Florida Incorporated) for approval of
interconnection and unbundling agreement with Metromedia
Fiber Network Services, Inc.
(Critical Date: 9/24/00)

L) Requests for approval of interconnection, unbundling, and
resale agreements.

DOCKET NO. 000836-TP - Verizon Florida Inc. (f/k/a GTE
Florida Incorporated) with Time
Warner Telecom.
(Critical Date: 10/9/00)

DOCKET NO. 000837-TP - Verizon Florida, Inc. (f/k/a GTE
Florida Incorporated) with
Pathnet, Inc. d/b/a Pathnet
Communications, Inc.
(Critical Date: 10/9/00)

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<u>ITEM NO.</u>	<u>CASE</u>
2**	Consent Agenda
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M)	Requests for approval of amendments to interconnection, unbundling, and resale agreements.
	DOCKET NO. 000855-TP - BellSouth Telecommunications, Inc. with Actel Integrated Communications, Inc. (Critical Date: 10/11/00)
	DOCKET NO. 000856-TP - BellSouth Telecommunications, Inc. with NEXTLINK Florida, Inc. (Critical Date: 10/11/00)
N)	DOCKET NO. 000838-TP - Request by BellSouth Telecommunications, Inc. for approval of amendment to existing interconnection, unbundling, resale, and collocation agreement with SBC National, Inc. d/b/a SBC Telecom, Inc. (Critical Date: 10/9/00)
O)	Requests for approval of line-sharing amendments to interconnection, unbundling, and resale agreements.
	DOCKET NO. 000749-TP - Verizon Florida Inc. (f/k/a GTE Florida Incorporated) with NorthPoint Communications, Inc. (Critical Date: 9/19/00)
	DOCKET NO. 000750-TP - Verizon Florida Inc. (f/k/a GTE Florida Incorporated) with DSLnet Communications, LLC. (Critical Date: 9/19/00)
	DOCKET NO. 000752-TP - Verizon Florida Inc. (f/k/a GTE Florida Incorporated) with New Edge Network, Inc. d/b/a New Edge Networks. (Critical Date: 9/19/00)

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2**	Consent Agenda (Continued from previous page)
PAA	P) Requests for approval of transfer of control of an interexchange telecommunications and/or alternative local exchange company. DOCKET NO. 000692-TI - Single Billing Services, Inc. d/b/a Asian American Association (holder of IXC Certificate No. 5732) from current shareholder, Ms. Helen Shih, to New Global Telecom, Inc. DOCKET NO. 000903-TP - Genesis Communications International, Inc. (holder of IXC Certificate No. 7412 and ALEC Certificate No. 7413) to American Telesource International, Inc. (holder of IXC Certificate No. 4024).
PAA	Q) DOCKET NO. 000867-TP - Request for approval of corporate reorganization whereby Winstar Wireless, Inc. (holder of IXC Certificate No. 2699 and AAV/ALEC Certificate No. 4025) and WCI Capital Corp (sister company) will be interposed between Winstar and Winstar's direct parent company, Winstar Communications, Inc.
PAA	R) DOCKET NO. 000866-TX - Request for approval of pro forma corporate reorganization of UCN-Clay, Limited Partnership d/b/a Access Communications - First Coast (holder of ALEC Certificate No. 5276), wholly owned subsidiary of SIGECOM Holdings, Inc., majority owned subsidiary of UtiliCom Networks LLC, and name change on certificate to TOTALink of Florida, LLC.

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<u>ITEM NO.</u>	<u>CASE</u>
2**	Consent Agenda (Continued from previous page)
PAA	S) DOCKET NO. 000882-TP - Notice of acquisition agreement whereby SpectrumLink Networks, Inc. will acquire all right, title and interest in O1 Communications of Florida, LLC (holder of IXC Certificate No. 7301 and ALEC Certificate No. 7302) from O1 Communications, Inc., such that O1 Communications, Inc. will become a wholly owned subsidiary of SpectrumLink.

Recommendation: The Commission should approve the action requested in the dockets referenced above and close these dockets.

DECISION: The recommendation was approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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<u>ITEM NO.</u>	<u>CASE</u>
3**	<p>DOCKET NO. 001062-WS - Proposed repeal of Rule 25-30.470, F.A.C., Calculation of Rate Reduction After Rate Case Expense is Amortized.</p> <p>Critical Date(s): None</p> <p>Rule Status: Proposed</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: APP: Helton ECR: Hewitt, Merchant, Rendell LEG: VanLeuven PAI: Williams</p> <p><u>Issue 1</u>: Should the Commission repeal Rule 25-30.470, Florida Administrative Code, entitled Calculation of Rate Reduction After Rate Case Expense is Amortized? <u>Recommendation</u>: Yes, the Commission should repeal Rule 25-30.470.</p> <p><u>Issue 2</u>: Should this docket be closed? <u>Recommendation</u>: Yes. If no requests for hearing or comments are filed, the rule repeal as proposed should be filed for adoption with the Secretary of State and the docket closed.</p>

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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4 DOCKET NO. 980643-EI - Proposed amendments to Rules 25-6.135, F.A.C., Annual Reports; 25-6.1351, F.A.C., Cost Allocation and Affiliate Transactions; and 25-6.0436, F.A.C., Depreciation.

Critical Date(s): None

Hearing Date(s): 8/24/99 Talla., Workshop, Staff
6/22/00 Talla., Rule Hearing, Staff

Rule Status: Adoption

Commissioners Assigned: Full Commission
Prehrg Officer JC

Staff: APP: Moore

Issue 1: Should the Commission adopt proposed Rule 25-6.1351, Florida Administrative Code, Cost Allocation and Affiliate Transactions; Rule 25-6.135, Annual Reports; and Rule 25-6.0436, Depreciation?

Recommendation: No. The Commission should adopt changes to Rules 25-6.1351, 25-6.135, and 25-6.0436, Florida Administrative Code, as recommended by the Hearing Officer.

Issue 2: Should the rules be filed for adoption with the Secretary of State and the docket be closed?

Recommendation: Yes. The rules with the changes recommended by the Hearing Officer should be filed for adoption with the Secretary of State and the docket should be closed.

DECISION: This item was deferred to a later Commission Conference.

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5	<p>DOCKET NO. 000643-EU - Petition for declaratory statement regarding applicability of individual meter rule exemption in Rule 25-6.049(5)(a)3, F.A.C., to Valencia Area Condominium Association, Inc.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: APP: Bellak ECR: Wheeler</p> <p>(Parties may participate at the Commission's discretion.)</p> <p><u>Issue 1</u>: Should the Commission grant Florida Power & Light's petition to intervene? <u>Recommendation</u>: Yes. FPL's petition to intervene should be granted.</p> <p><u>Issue 2</u>: Should the Commission conduct an informal hearing regarding Valencia's request for declaratory statement? <u>Recommendation</u>: No. The request for an informal hearing should be denied.</p> <p><u>Issue 3</u>: Should the Commission grant Valencia Area Condominium Association's petition for declaratory statement? <u>Recommendation</u>: No.</p> <p><u>Issue 4</u>: Should this docket be closed? <u>Recommendation</u>: Yes, unless post-decision motions are filed.</p> <p><u>DECISION</u>: This item was deferred to a later Commission Conference.</p>

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6**

DOCKET NO. 000810-GU - Petition for approval of modifications to tariff provisions governing transportation of customer-owned gas and tariff provisions to implement Rule 25-7.0335, F.A.C., by Tampa Electric Company d/b/a Peoples Gas System.

Critical Date(s): None (Company waived 60-day suspension date.)

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Makin, Bulecza-Banks
LEG: C. Keating, Walker

Issue 1: Should the Commission grant Peoples Gas System's (Peoples or the Company) petition for modifications to its tariff provisions governing transportation of customer-owned gas and tariff provisions to implement Rule 25-7.0335, Florida Administrative Code (F.A.C.)?

Recommendation: No. The Commission should deny Peoples' proposed modifications to its tariff provisions governing transportation of customer-owned gas. Staff would have recommended approving Peoples' tariff had the Transition Cost Recovery Charge been assessed to all non-residential customers.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no protest is filed by a person whose substantial interests are affected within 21 days of the issuance of the Order, this docket should be closed upon the issuance of a Consummating Order.

DECISION: The recommendations were approved as modified. The tariff as outlined in staff's 8/24/00 recommendation was approved (per the company's agreement at the conference). A revised tariff, consistent with this decision, is to be submitted by the company and approved by staff.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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7**PAA

DOCKET NO. 000744-TC - Request for exemption from requirement of Rule 25-24.515(13), F.A.C., that each pay telephone station shall allow incoming calls, by BellSouth Public Communications, Inc.

Critical Date(s): 9/18/00 (statutory deadline)

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Christensen

Issue 1: Should the Commission grant the provider listed on page 4 of staff's August 24, 2000 memorandum an exemption from the requirement that each telephone station shall allow incoming calls for the pay telephone numbers at the addresses listed?

Recommendation: Yes.

Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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8**PAA

DOCKET NO. 000894-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 1724 issued to Southrep, Incorporated for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and Rule 25-24.520, F.A.C., Reporting Requirements.

DOCKET NO. 000900-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 2555 issued to Michael Paglianti for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Dandelake

Issue 1: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to the companies listed on page 6 of staff's 8/24/00 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's respective certificate as listed on page 6 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the pay telephone certificates listed on page 6 should be canceled administratively.

Issue 2: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to the companies

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8**PAA

DOCKET NO. 000894-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 1724 issued to Southrep, Incorporated for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and Rule 25-24.520, F.A.C., Reporting Requirements.

DOCKET NO. 000900-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 2555 issued to Michael Paglianti for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

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listed on page 6 for apparent violation of Rule 25-24.520, Florida Administrative Code, Reporting Requirements?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's respective certificate as listed on page 6 if the information required by Rule 25-24.520, F.A.C., Reporting Requirements, and the fine are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and required information are not received, the pay telephone certificates listed on page 6 should be canceled administratively.

Issue 3: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fines, fees, and required information or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order. A protest in one docket should not prevent the action in a separate docket from becoming final.

DECISION: The recommendations were approved.

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8**PAA

DOCKET NO. 000894-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 1724 issued to Southrep, Incorporated for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and Rule 25-24.520, F.A.C., Reporting Requirements.

DOCKET NO. 000900-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 2555 issued to Michael Paglianti for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

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Commissioners participating: Deason, Jacobs, Jaber, Baez

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9**PAA

DOCKET NO. 000895-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 1931 issued to Dammam International Corporation for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and Rule 25-24.520, F.A.C., Reporting Requirements.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Elliott

Issue 1: Should the Commission impose a \$1,000 fine or cancel Dammam International Corporation's pay telephone certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$1,000 fine or cancel the company's certificate if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, Pay Telephone Certificate No. 1931 should be canceled administratively.

Issue 2: Should the Commission impose a \$500 fine or cancel Dammam International Corporation's pay telephone certificate for apparent violation of Rule 25-24.520, Florida Administrative Code, Reporting Requirements?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel the company's certificate if the information required by Rule 25-24.520, F.A.C., Reporting Requirements, and the fine are not received by the Commission within five business days after the issuance of the Consummating Order.

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9**PAA

DOCKET NO. 000895-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 1931 issued to Damman International Corporation for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and Rule 25-24.520, F.A.C., Reporting Requirements.

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The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and required information are not received, Pay Telephone Certificate No. 1931 should be canceled administratively.

Issue 3: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon receipt of the fines, fees, and required information or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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10**PAA

DOCKET NO. 000939-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3948 issued to Roller Games, Inc. for violation of Rule No. 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

DOCKET NO. 000962-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4202 issued to Link Telecommunications, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Elliott

Issue 1: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to the companies listed on page 6 of staff's August 24, 2000 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's respective certificate as listed on page 6 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the pay telephone certificates listed on page 6 should be canceled administratively.

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DOCKET NO. 000939-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3948 issued to Roller Games, Inc. for violation of Rule No. 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

DOCKET NO. 000962-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4202 issued to Link Telecommunications, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

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Issue 2: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to the companies listed on page 6 for apparent violation of Rule 25-24.520, Florida Administrative Code, Reporting Requirements?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's respective certificate as listed on page 6 if the information required by Rule 25-24.520, F.A.C., Reporting Requirements, and the fine are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and required information are not received, the pay telephone certificates listed on page 6 should be canceled administratively.

Issue 3: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fines, fees, and required information or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order. A protest in one docket should not prevent the action in a separate docket from becoming final.

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DOCKET NO. 000939-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3948 issued to Roller Games, Inc. for violation of Rule No. 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

DOCKET NO. 000962-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4202 issued to Link Telecommunications, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

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DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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11**PAA

DOCKET NO. 000917-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3238 issued to First Tele Communications Services, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

Issue 1: Should the Commission impose a \$500 fine or cancel First Tele Communications Services, Inc.'s pay telephone certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel the company's certificate if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, Pay Telephone Certificate No. 3238 should be canceled administratively.

Issue 2: Should the Commission impose a \$500 fine or cancel First Tele Communications Services, Inc.'s pay telephone certificate for apparent violation of Rule 25-24.520, Florida Administrative Code, Reporting Requirements?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel the company's certificate if the information required by Rule 25-24.520, F.A.C., Reporting Requirements, and the fine are not received by the Commission within five business days after the issuance of the Consummating Order.

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11**PAA

DOCKET NO. 000917-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3238 issued to First Tele Communications Services, Inc. for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

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The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and required information are not received, Pay Telephone Certificate No. 3238 should be canceled administratively.

Issue 3: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon receipt of the fines, fees, and required information or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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CASE

12**PAA

DOCKET NO. 000896-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 2129 issued to Springer Pay Tel for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.
DOCKET NO. 000916-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 2814 issued to Southern Telephone Company for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

Issue 1: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to the companies listed on page 6 of staff's August 24, 2000 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's respective certificate as listed on page 6 of staff's August 24, 2000 memorandum if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the pay telephone certificates listed on page 6 should be canceled administratively.

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12**PAA

DOCKET NO. 000896-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 2129 issued to Springer Pay Tel for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.
DOCKET NO. 000916-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 2814 issued to Southern Telephone Company for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

(Continued from previous page)

Issue 2: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to the companies listed on page 6 for apparent violation of Rule 25-24.520, Florida Administrative Code, Reporting Requirements?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's respective certificate as listed on page 6 if the information required by Rule 25-24.520, F.A.C., Reporting Requirements, and the fine are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and required information are not received, the pay telephone certificates listed on page 6 should be canceled administratively.

Issue 3: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fines, fees, and required information or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order. A protest in one docket should not prevent the action in a separate docket from becoming final.

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12**PAA	DOCKET NO. 000896-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 2129 issued to Springer Pay Tel for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements. DOCKET NO. 000916-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 2814 issued to Southern Telephone Company for violation of Rules 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

(Continued from previous page)

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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ITEM NO.

CASE

13**PAA

DOCKET NO. 000924-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3376 issued to Public Pay Phone, Inc. for violation of Rule Nos. 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

Issue 1: Should the Commission impose a \$1,000 fine or cancel Public Pay Phone, Inc.'s pay telephone certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$1,000 fine or cancel the company's certificate if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, Pay Telephone Certificate No. 3376 should be canceled administratively.

Issue 2: Should the Commission impose a \$500 fine or cancel Public Pay Phone, Inc.'s pay telephone certificate for apparent violation of Rule 25-24.520, Florida Administrative Code, Reporting Requirements?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel the company's certificate if the information required by Rule 25-24.520, F.A.C., Reporting Requirements, and the fine are not received by the Commission within five business days after the issuance of the Consummating Order.

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13**PAA

DOCKET NO. 000924-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3376 issued to Public Pay Phone, Inc. for violation of Rule Nos. 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies, and 25-24.520, F.A.C., Reporting Requirements.

(Continued from previous page)

The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and required information are not received, Pay Telephone Certificate No. 3376 should be canceled administratively.

Issue 3: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon receipt of the fines, fees, and required information or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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ITEM NO.

CASE

14**

DOCKET NO. 000899-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 2520 issued to Lyst Enterprises, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

Issue 1: Should the Commission accept the settlement offer proposed by Lyst Enterprises, Inc. to resolve the apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?
Recommendation: Yes. The Commission should accept the company's settlement proposal. Any contribution should be received by the Commission within ten business days from the date of the Commission Order and should identify the docket number and company name. The Commission should forward the contribution to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the company fails to pay in accordance with the terms of the Commission Order, the company's Certificate No. 2520 should be canceled administratively.

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon receipt of the \$100 contribution or cancellation of the certificate.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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ITEM NO.

CASE

15**PAA

DOCKET NO. 000927-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3446 issued to Carman Communication, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 000937-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3926 issued to Telecommunications Service Center, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 000956-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4219 issued to Florida Communication International, Inc. d/b/a FCI for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

Issue 1: Should the Commission impose a \$1,000 fine or cancel the pay telephone certificates issued to the companies listed on page 5 of staff's August 24, 2000 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$1,000 fine or cancel each company's respective certificate as listed on page 5 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not

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15**PAA	DOCKET NO. 000927-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3446 issued to Carman Communication, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. DOCKET NO. 000937-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3926 issued to Telecommunications Service Center, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. DOCKET NO. 000956-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4219 issued to Florida Communication International, Inc. d/b/a FCI for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

(Continued from previous page)

received, the pay telephone certificates listed on page 5 should be canceled administratively.

Issue 2: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fine and fees or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order. A protest in one docket should not prevent the action in a separate docket from becoming final.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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16**

DOCKET NO. 000425-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 5526 issued to Gloria Clockedile for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

Issue 1: Should the Commission grant Gloria Clockedile's request for cancellation of PATS Certificate No. 5526?
Recommendation: This company filed for bankruptcy on August 15, 1999. Therefore, the Commission should grant the company a "bankruptcy cancellation" of its Certificate No. 5526, effective April 5, 2000. In addition, the Division of Administration will be notified that the past due RAFs should not be sent to the Comptroller's Office for collection, but that permission for the Commission to write off the uncollectible amount should be requested.

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves or modifies staff's recommendation on Issue 1, this docket should be closed upon cancellation of the certificate. If the Commission denies staff's recommendation on Issue 1, this docket should be closed administratively.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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ITEM NO.

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17**PAA

Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 000893-TC - Farid Hawwa
DOCKET NO. 000901-TC - Phillips & Brooks/Gladwin, Inc.
DOCKET NO. 000908-TC - Milton McNeil
DOCKET NO. 000914-TC - Sunshine Pay Phones, Inc.
DOCKET NO. 000929-TC - Miccosukee Indian Bingo
DOCKET NO. 000934-TC - Central Florida Communications, Inc.
DOCKET NO. 000957-TC - Debra A. Dietz d/b/a J&D Investments

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Banks

Issue 1: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to each company listed on page 5 of staff's August 24, 2000 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?
Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's certificate as listed on page 5 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the pay telephone certificates listed on page 5 should be canceled administratively.

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17**PAA

Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

(Continued from previous page)

Issue 2: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fine and fees or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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18**PAA

Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 000892-TC - West Florida Payphone LTD.
DOCKET NO. 000898-TC - M & S Groceries, Inc.
DOCKET NO. 000909-TC - Opus Correctional, Inc. d/b/a LocTel
DOCKET NO. 000910-TC - Rex H. Myers
DOCKET NO. 000913-TC - Hasan Akhtar
DOCKET NO. 000932-TC - Planet Tel, Inc.
DOCKET NO. 000935-TC - Douglas Eric Hamilton d/b/a Continental Telephone
DOCKET NO. 000938-TC - Pedro Gonzalez
DOCKET NO. 000941-TC - Roka Enterprises, Inc.
DOCKET NO. 000954-TC - J.K. Miami Corp.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Dandelake

Issue 1: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to each company listed on page 5 of staff's August 24, 2000 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's certificate as listed on page 5 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the pay

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18**PAA

Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

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telephone certificates listed on page 5 should be canceled administratively.

Issue 2: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fine and fees or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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19**PAA

DOCKET NO. 000915-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3359 issued to Richard O. and Ann C. Hance for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.
DOCKET NO. 000926-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3403 issued to Yvanne Mesidor for violation of Rule No. 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.
DOCKET NO. 000930-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3627 issued to Joseph Lukose for violation of Rule No. 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Dandelake

Issue 1: Should the Commission impose a \$1,000 fine or cancel the pay telephone certificates issued to the companies listed on page 5 of staff's August 24, 2000 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$1,000 fine or cancel each company's respective certificate as listed on page 5 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not

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<u>ITEM NO.</u>	<u>CASE</u>
19**PAA	DOCKET NO. 000915-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3359 issued to Richard O. and Ann C. Hance for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. DOCKET NO. 000926-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3403 issued to Yvanne Mesidor for violation of Rule No. 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies. DOCKET NO. 000930-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 3627 issued to Joseph Lukose for violation of Rule No. 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

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received, the pay telephone certificates listed on page 5 should be canceled administratively.

Issue 2: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fine and fees or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order. A protest in one docket should not prevent the action in a separate docket from becoming final.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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ITEM NO.

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20**PAA

Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

DOCKET NO. 000911-TC - Payphone Consultants, Inc.
DOCKET NO. 000925-TC - St. Johns Communications
DOCKET NO. 000928-TC - Three Rivers Phone Corp.
DOCKET NO. 000931-TC - Wellington N. Dickson
DOCKET NO. 000933-TC - Tel Call Communication Inc.
DOCKET NO. 000942-TC - Thomas N. Trego d/b/a TNT Telcom
DOCKET NO. 000958-TC - Tommie Kellar
DOCKET NO. 000959-TC - Nutrend Communications, Inc.
DOCKET NO. 000961-TC - Jentel Corporation d/b/a Southern Phone

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Elliott

Issue 1: Should the Commission impose a \$500 fine or cancel the pay telephone certificates issued to each company listed on page 5 of staff's August 24, 2000 memorandum for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$500 fine or cancel each company's certificate as listed on page 5 if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the pay

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20**PAA

Cancellation by Florida Public Service Commission of pay telephone certificates for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

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telephone certificates listed on page 5 should be canceled administratively.

Issue 2: Should these dockets be closed?

Recommendation: Yes. These dockets should be closed upon receipt of the fine and fees or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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ITEM NO.

CASE

21**PAA

DOCKET NO. 000960-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4314 issued to M.C. Trading & Associates, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: CMP: Isler
LEG: Elliott

Issue 1: Should the Commission impose a \$1,000 fine or cancel M.C. Trading & Associates, Inc.'s PATS certificate for apparent violation of Rule 25-4.0161, Florida Administrative Code, Regulatory Assessment Fees; Telecommunications Companies?

Recommendation: Yes. The Commission should impose a \$1,000 fine or cancel the company's certificate if the fine and the regulatory assessment fees, including statutory penalty and interest charges, are not received by the Commission within five business days after the issuance of the Consummating Order. The fine should be paid to the Florida Public Service Commission and forwarded to the Office of the Comptroller for deposit in the State General Revenue Fund pursuant to Section 364.285(1), Florida Statutes. If the Commission's Order is not protested and the fine and regulatory assessment fees, including statutory penalty and interest charges, are not received, the company's Pay Telephone Service Certificate No. 4314 should be canceled administratively.

Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon receipt of the fine and fees or cancellation of the certificate, unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.

DECISION: The recommendations were approved.

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<u>ITEM NO.</u>	<u>CASE</u>
21**PAA	DOCKET NO. 000960-TC - Cancellation by Florida Public Service Commission of Pay Telephone Certificate No. 4314 issued to M.C. Trading & Associates, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

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Commissioners participating: Deason, Jacobs, Jaber, Baez

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ITEM NO.

CASE

22**PAA

DOCKET NO. 991931-EG - Determination of appropriate method of recovery for the last core of nuclear fuel for Florida Power & Light Company and Florida Power Corporation.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer JC

Staff: ECR: Lee, Slemkewicz
LEG: C. Keating
SER: Bohrmann

Issue 1: What is the appropriate recovery mechanism for the cost of the Last Core?

Recommendation: The existence of the Last Core is the direct result of unit shut down, and there are numerous uncertainties surrounding the timing of unit shut down, actual cost associated with the Last Core, and future regulatory environment. Therefore, staff recommends that the associated costs be considered a base rate future obligation with recovery afforded through an unfunded reserve of nuclear decommissioning.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected by the proposed agency action files a protest within twenty-one days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

DECISION: The recommendation was withdrawn.

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ITEM NO.

CASE

23**

DOCKET NO. 000826-EI - Request for approval of revisions to its general rules and regulations regarding installation of underground electric distribution facilities to serve small commercial/industrial customers, by Florida Power & Light Company.

Critical Date(s): 9/8/00 (60-day suspension date)

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: ECR: Ging, Springer
LEG: Walker
RGO: Yambor
SER: Breman, Lee

Issue 1: Should the Commission suspend Florida Power & Light Company's (FPL) petition for approval of revisions to its small commercial/industrial underground tariff differentials?

Recommendation: Yes. The Commission should suspend FPL's proposed revisions to its small commercial/industrial underground tariff differentials.

Issue 2: Should this docket be closed?

Recommendation: No. The docket should remain open pending a final decision on the tariff.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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ITEM NO.

CASE

24**

DOCKET NO. 000902-EI - Petition for modification and extension of Experimental Real Time Pricing Rate, Rate Schedule RTP-GX, by Florida Power & Light Company.

Critical Date(s): 9/18/00 (60-day suspension date)

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: ECR: Springer, E. Draper
LEG: Hart

Issue 1: Should the Commission suspend Florida Power & Light Company's (FPL) proposed revisions to its Experimental Real Time Pricing tariff?

Recommendation: Yes. The Commission should suspend FPL's proposed revisions to its Experimental Real Time Pricing tariff.

Issue 2: Should this docket be closed?

Recommendation: No. The docket should remain open pending a final decision on the tariff.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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ITEM NO.

CASE

25**PAA

DOCKET NO. 990939-WS - Application for rate increase in Martin County by Indiantown Company, Inc.

Critical Date(s): 9/28/00 (5-month effective date)

Commissioners Assigned: Full Commission
Prehrg Officer DS

Staff: ECR: Crouch, Merchant, Maurey, B. Davis, Quijano,
Munroe
LEG: Christensen, Gervasi
PAI: Golden, C. Williams

Issue 1: Is the quality of service provided by Indiantown to its customers satisfactory?

Recommendation: Yes. Staff recommends that the Commission find the quality of service provided by Indiantown satisfactory.

Issue 2: What are the used and useful percentages for the water treatment plant, water distribution system, wastewater treatment plant and wastewater collection system?

Recommendation: The water treatment plant should be considered 100% used and useful. The wastewater treatment plant should be considered 64.6% used and useful. The distribution and collection systems should both be considered 100% used and useful. The utility's non-used and useful plant adjustment should be increased by \$20,596 and accumulated depreciation by \$6,170, for a net increase in rate base of \$14,426. Depreciation expense should be increased by \$1,135.

Issue 3: What adjustment should be recognized in rate base for utility land?

Recommendation: Water rate base should be increased by \$4,469 and wastewater by \$383.

Issue 4: Should adjustments be made to capitalize items that were expensed?

Recommendation: Yes. Average plant in service should be increased by \$2,525 for water and \$224 for wastewater. Corresponding adjustments should be made to increase water accumulated depreciation and depreciation expense by \$163 and \$326, respectively. Wastewater accumulated depreciation and depreciation expense should also be increased by \$37 and

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25**PAA

DOCKET NO. 990939-WS - Application for rate increase in Martin County by Indiantown Company, Inc.

(Continued from previous page)

\$74, respectively. The operation and maintenance (O&M) expense accounts should be decreased by \$5,049 for water and \$449 for wastewater.

Issue 5: Are the costs incurred to move personnel and equipment, from the telephone building into the water plant reasonable?

Recommendation: No, the costs of moving personnel and equipment to the water plant should be shared with the telephone company which also received benefits from this move. The pro forma plant additions should be reduced by \$16,675 for water and \$16,676 for wastewater. The pro forma depreciation expense and accumulated depreciation should each be reduced by \$930 for water and \$932 for wastewater. The pro forma O&M expenses should be reduced by \$1,185 for water and \$1,186 for wastewater.

Issue 6: Are any adjustments necessary to the amount of CIAC?

Recommendation: Yes, plant and CIAC should be increased by \$699,632 for water and \$951,277 for wastewater to show contributed plant from Indianwood, Martin County and Indiantown Non-Profit Housing. Accumulated depreciation and amortization of CIAC should also be increased by \$188,636 for water and \$253,560 for wastewater.

Issue 7: What is the appropriate allowance for working capital?

Recommendation: The appropriate amount of working capital is \$51,221 for water and \$73,318 for wastewater based on the formula approach. This is a decrease of \$11,201 for water and \$18,465 for wastewater to the utility's requested working capital allowance.

Issue 8: What is the appropriate test year rate base?

Recommendation: The appropriate rate base for the test year ended June 30, 1999 is \$604,149 for the water system and \$978,814 for the wastewater system.

Issue 9: What is the appropriate capital structure for rate making purposes?

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25**PAA

DOCKET NO. 990939-WS - Application for rate increase in Martin County by Indiantown Company, Inc.

(Continued from previous page)

Recommendation: The appropriate capital structure for rate making purposes is the utility's actual capital structure. The capital structure should then be adjusted to include pro forma loans for the pro forma construction, to remove non-utility investments and receivables to associated companies from equity, and to specifically identify used and useful deferred taxes for the water and wastewater assets. The adjusted investor sources of capital should be reconciled on a pro rata basis to rate base.

Issue 10: What is the appropriate amount of deferred income taxes to be included in the capital structure?

Recommendation: The appropriate amount of deferred taxes for the test year is \$388,955. This amount should be specifically identified in the capital structure and not be subject to pro rata adjustment.

Issue 11: What is the appropriate rate of return on equity?

Recommendation: The appropriate rate of return on equity should be 9.46% with a range of 8.46% - 10.46% using the current leverage formula.

Issue 12: What is the appropriate overall rate of return?

Recommendation: The appropriate overall rate of return should be 7.04%, with a range of 6.46% to 7.62%.

Issue 13: Should the utility be allowed an AFUDC rate and, if so, what should it be?

Recommendation: The Commission should approve an AFUDC rate of 7.04% and a monthly discounted rate of 0.586256% for Indiantown effective July 1, 1999, based on the June 30, 1999, capital structure developed in this docket.

Issue 14: Are the billing determinates for the test year as filed in the MFR correct and should test year revenue be adjusted?

Recommendation: No. Test year water and wastewater billing determinates should be adjusted for compilation errors and annualized test year water and wastewater revenue should be reduced by \$5,143 and \$2,657, respectively, to reflect the revised billing determinates.

Issue 15: Are the test year management fees reasonable?

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Recommendation: No. The management fees allocated from Postco do not reflect a reasonable distribution of the cost of services provided to Indiantown. Management fees should be reduced by \$67,178, or \$33,512 for water and \$33,666 for wastewater. Contractual Services - Other should be reduced by \$7,196, or \$3,598 each for water and wastewater.

Issue 16: Are any adjustments necessary to contractual services expense?

Recommendation: Yes. Legal and accounting contractual services expense should be adjusted to remove services related to the Indianwood Development acquisition and rate case expense. Operation and Maintenance should be reduced by \$5,355 for water and \$5,355 for wastewater. Amortization expense should be increased by \$612 for water and \$613 for wastewater.

Issue 17: Are any further adjustments necessary to Contractual Services-Accounting expense?

Recommendation: Yes. Contractual Services-Accounting should be reduced by \$7,790 for both water and wastewater to recognize accounting services that should be performed in-house. Also, misclassified costs of \$6,555 should be removed from Water Contractual Services-Accounting and be placed in Water Contractual Services-Other.

Issue 18: Are any adjustments necessary to transportation expenses?

Recommendation: Yes. The transportation expense should be reduced by \$795 for both water and wastewater for repairs that are out of the test year.

Issue 19: Are the annual allocations of the billing costs reasonable?

Recommendation: No. Operating and maintenance expenses should be decreased by \$19,148 for water and \$19,149 for wastewater. Plant costs for billing should be decreased by \$1,459 each to water and wastewater, with corresponding decreases to accumulated depreciation and depreciation

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expense of \$114 and \$228, respectively, for both water and wastewater.

Issue 20: Are any adjustments necessary to the pro forma DEP required expenses for permit renewal conditions?

Recommendation: Yes. The \$22,000 requested for additional annual WWTP testing should be reduced by \$10,900 to \$11,100. The \$24,000 requested annual engineering cost should be reduced by \$15,000 to reflect \$9,000 in annual engineering reports. And amortization expense of \$2,800 in annual amortization expense should be recognized for one-time costs for engineering reports.

Issue 21: Should the pro forma adjustment for maintenance of the Indianwood water and wastewater lines be approved?

Recommendation: No. The \$11,400 for water maintenance and \$11,400 for wastewater maintenance in Indianwood should be disallowed.

Issue 22: Are any adjustments necessary to the annual costs for removal of sludge?

Recommendation: Yes. The utility's request for \$75,000 annually for sludge removal is not reasonable. Staff recommends that \$60,225 should be approved for sludge removal.

Issue 23: Is the lease on the land for the percolation ponds sufficient and is the annual cost reasonable?

Recommendation: No. The utility should be ordered to obtain either ownership of the land where the percolation ponds are located or a long-term lease (such as 99 years). Further, the annual lease payment for the land should be \$6,000, or a reduction to O&M expenses of \$20,964. This \$6,000 cost should not be escalated annually for rate setting purposes.

Issue 24: Should chemical and purchased power expense be adjusted to reflect the anticipated reduction to water and wastewater consumption due to repression?

Recommendation: Based on staff's recommended repression adjustment to water and wastewater consumption discussed in

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Issue 31, chemical expense and power expense should be decreased by \$2,665 for water and \$3,490 for wastewater.

Issue 25: What is the appropriate amount of rate case expense?

Recommendation: The appropriate rate case expense for this docket is \$86,707. This expense should be recovered over four years for an annual expense of \$21,677. The method of allocation used between systems is based on percentage of total ERCs at June 30, 1999. Therefore, the appropriate increase in amortization expense for rate case expense for water is \$883 and \$794 for wastewater per year.

Issue 26: Should the amortization of contributed taxes be reflected above the line?

Recommendation: Yes. The amortization of contributed taxes should be reflected above the line as a decrease to operating expenses of \$3,388 for water and \$2,454 for wastewater.

Issue 27: Are the taxes other than income appropriately stated for the test year?

Recommendation: No. Real estate and personal property taxes should be decreased by \$2,153 for water and \$9,859 for wastewater.

Issue 28: Should the effect of the parent's debt be recognized in income tax expense?

Recommendation: Yes. The effect of the parent's debt should be recognized as a decrease to income tax expense of \$6,254 for water and \$10,133 for wastewater.

Issue 29: What is the appropriate net operating income for the test year?

Recommendation: The test year operating losses are \$8,385 and \$94,182 for water and wastewater operations, respectively.

Issue 30: What is the total revenue requirement?

Recommendation: The following revenue requirements should be approved:

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	<u>TOTAL</u>	<u>\$ INCREASE</u>	<u>% INCREASE</u>
Water	\$580,011	\$85,470	17.28%
Wastewater	\$831,026	\$273,786	49.13%

Issue 31: Is a repression adjustment to consumption appropriate for this utility, and if so, what is the appropriate adjustment?

Recommendation: Yes, repression adjustments of 12,686,940 gallons to water consumption and 6,294,470 gallons to wastewater consumption are appropriate. In order to monitor the effects of the rate increases on consumption, the utility should be ordered to prepare monthly reports, to be filed on a quarterly basis, for both water and wastewater detailing the number of bills rendered, the number of gallons billed and the total revenues billed for each month during the quarter. This information should be provided for each customer class and meter size. These reports should be provided for a period of two years, beginning the first quarter after the revised rates go into effect.

Issue 32: What are the appropriate water and wastewater rates?

Recommendation: Staff has recommended monthly rates using the base facility and gallonage charge rate structure. The recommended water rates should be designed to produce annual operating revenues of \$560,099, which is the \$580,011 revenue requirement less \$19,212 in miscellaneous revenue. The recommended wastewater rates should be designed to produce annual operating revenues of \$830,770 which is the \$831,026 revenue requirement less \$256 in miscellaneous revenue. The residential wastewater gallonage charge should continue to be capped at 6,000 gallons per month. The approved rates should be effective for service rendered on or after the stamped approval date of the revised tariff sheets, pursuant to Rule 25-30.475, Florida Administrative

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Code, provided customers have received notice. The revised tariff sheets should be approved upon staff's verification that the tariff is consistent with the Commission's decision, that the protest period has expired, and that the proposed customer notice is adequate.

Issue 33: In determining whether any portion of the interim increase granted should be refunded, how should the refund be calculated and what is the amount of the refund, if any?

Recommendation: The proper refund amount should be calculated by using the same data used to establish final rates, excluding rate case expense and any pro forma items which have not been incurred during the interim period. This revised revenue requirement for the interim collection period should be compared to the amount of interim revenues granted. Based on this calculation, the utility should not be required to refund any water and wastewater revenues collected under interim rates. Therefore, the revenue held subject to refund, and the letter of credit required by Order No. PSC-00-0912-PCO-WS, issued May 8, 2000, guaranteeing those revenues, should be released.

Issue 34: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected by the proposed agency action files a protest within twenty-one days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

DECISION: This item was deferred to the September 26, 2000 Commission Conference. A supplemental recommendation will be submitted addressing issues discussed by the Utility and the Office of Public Counsel at the 9/5/00 Conference.

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26**PAA	DOCKET NO. 991627-WU - Application for rate increase in Polk County by Park Water Company Inc.

Critical Date(s): 9/19/00 (5-month effective date)

Commissioners Assigned: Full Commission
Prehrg Officer - Pending

Staff: ECR: Casey, T. Davis, Rendell
LEG: VanLeuven

(ALL ISSUES PROPOSED AGENCY ACTION EXCEPT ISSUES 20, 21, AND 22.)

Issue 1: Is the quality of service provided by Park Water Company, Inc. considered satisfactory?

Recommendation: Yes. The quality of service provided by Park Water Company, Inc. should be considered satisfactory.

Issue 2: Should the Commission approve a year-end rate base for Park?

Recommendation: Yes. The Commission should approve a year-end rate base for Park to allow it an opportunity to earn a fair return on the utility investment made during the test year and to insure compensatory rates in this rate case.

Issue 3: Should a growth allowance be included in the calculations of used and useful plant?

Recommendation: Yes. Due to recent actual growth activity since the test year, staff recommends that the usual method of regression analysis (based upon historical growth) does not result in a valid growth projection. Instead, staff recommends that the conclusions of the Knepper & Willard, Inc. report estimating a growth of approximately 40 equivalent residential connections (ERCs) per year for the distribution system be adopted, that 40 ERCs times the five-year growth period times 315 gallons per day per ERC or 63,154 gallons per day be used as the growth allowance for the water treatment plant, and that 200 ERCs ~~or connections~~ be used as the growth allowance for the water distribution system.

Issue 4: What portions of water plant and distribution system are used and useful?

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Recommendation: The water treatment plant should be considered 46.34% used and useful, and the water distribution system should be considered 55.52% used and useful with the exception of that portion of Account Number 309 (Supply Mains) related to the interconnection with the City of Lake Wales and Account Number 334 (Meters and Meter Installations) which should both be considered 100% used and useful.

Issue 5: What adjustments, if any, should be made to the utility's plant-in-service, land and land rights, non-used and useful plant, accumulated depreciation, and depreciation expense?

Recommendation: Plant-in-service should be increased by \$130,930, land and land rights should be increased by \$100, non-used and useful plant should be increased by \$190,128, accumulated depreciation should be decreased by \$29,722, and depreciation expense should be increased by \$1,970.

Issue 6: What adjustments, if any, should be made to Contributions-in-Aid-of-Construction, Accumulated Amortization of CIAC, and CIAC amortization?

Recommendation: CIAC should be increased by \$90,110, accumulated amortization should be increased by \$32,390, and CIAC amortization expense should be increased by \$2,997.

Issue 7: What is the appropriate working capital allowance?

Recommendation: The appropriate amount of working capital should be \$18,183.

Issue 8: What is the appropriate rate base?

Recommendation: The appropriate year-end rate base for Park for the test year ended December 31, 1999 should be \$383,388.

Issue 9: What is the appropriate rate of return on equity and the appropriate overall rate of return for this utility?

Recommendation: The appropriate rate of return on equity should be 9.94% with a range of 8.94% - 10.94% and the appropriate overall rate of return should be 9.98% with a range of 9.71% - 10.25%.

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Issue 10: What is the appropriate test year operating revenue?

Recommendation: The appropriate test year operating revenue should be \$182,486.

Issue 11: What adjustments, if any, should be made to test year operation and maintenance expenses?

Recommendation: Operation and maintenance expenses should be reduced by \$5,821 as detailed in the analysis portion of staff's August 24, 2000 memorandum.

Issue 12: What adjustments, if any, should be made to Account No. 407, Amortization?

Recommendation: Amortization should be decreased by \$2,250.

Issue 13: What adjustments, if any, should be made to the taxes other than income?

Recommendation: Taxes other than income should be decreased by \$4,147.

Issue 14: What is the test year operating income before any revenue increase?

Recommendation: Based on the adjustments discussed in previous issues, staff recommends that the test year operating income before any provision for increased revenues should be \$5,911.

Issue 15: What is the appropriate revenue requirement?

Recommendation:
 The following revenue requirement should be approved.

	<u>TOTAL</u>	<u>\$ INCREASE</u>	<u>% INCREASE</u>
WATER	\$216,361	\$33,875	18.56%

Issue 16: What is the appropriate rate structure for Park Water and what are the recommended rates for this utility?

Recommendation: The appropriate rate structure should be the existing inverted block rate structure. The recommended rates should be as shown in the staff analysis. The approved rates should be effective for service rendered on or after the stamped approval date on the tariff sheet pursuant to Rule 25-30.475(1), Florida Administrative Code.

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The rates should not be implemented until notice has been received by the customers. The utility should provide proof of the date notice was given within 10 days after the date of the notice.

Issue 17: What should be the appropriate amount of customer deposits?

Recommendation: The appropriate amount of residential customer deposits should be \$30. Larger residential meters and all general service meters customer deposits should be calculated at two times the customer's estimated average monthly bill. The utility should file revised tariff sheets which are consistent with the Commission's vote. Staff should be given administrative authority to approve the revised tariff sheets upon staff's verification that the tariffs are consistent with the Commission's decision. If revised tariff sheets are filed and approved, the customer deposits should become effective for connections made on or after the stamped approval date of the revised tariff sheets, if no protest is filed.

Issue 18: Should the utility be allowed to initiate a late payment fee for bills?

Recommendation: Yes. The utility should be allowed a late payment fee of \$3 for customer bills paid after the 20-day payment period provided in the utility's tariff. The utility should file a revised tariff sheet which is consistent with the Commission's vote. Staff should be given administrative authority to approve the revised tariff sheet upon staff's verification that the tariff is consistent with the Commission's decision. If a revised tariff sheet is filed and approved, the late payment fee should become effective for service rendered on or after the stamped approval date of the revised tariff sheet, if no protest is filed.

Issue 19: Should the utility's existing service availability policy be revised?

Recommendation: Yes. The utility's service availability policy should be revised as detailed in staff's analysis.

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If the Commission approves this new policy, the utility should file revised tariff sheets which are consistent with the Commission's vote. Staff should be given administrative authority to approve the revised tariff sheets upon staff's verification that the tariffs are consistent with the Commission's decision. If revised tariff sheets are filed and approved, the revised service availability charges should become effective for connections made on or after the stamped approval date of the revised tariff sheets, if no protest is filed.

Issue 20: Should Park be ordered to show cause, in writing within 21 days, why it should not be fined up to \$5,000 per day for failure to maintain its accounts and records in conformance with the National Association of Regulatory Utility Commissioners (NARUC) Uniform System of Accounts(USOA), in apparent violation of Rule 25-30.115(1), Florida Administrative Code?

Recommendation: No. A show cause proceeding should not be initiated. However, the utility should be ordered to maintain its accounts and records in conformance with the 1996 NARUC USOA, and submit a statement from its accountant by March 31, 2001, along with its 2000 annual report, stating that its books are in conformance with the NARUC USOA and have been reconciled with the Commission Order.

Issue 21: Should Park be ordered to show cause, in writing within 21 days, why it should not be fined up to \$5,000 per day for collecting unauthorized customer deposits, in apparent violation of Sections 367.081(1) and 367.091(3), Florida Statutes, and Rule 25-30.311(1), Florida Administrative Code?

Recommendation: No. Show cause proceedings should not be initiated. However, the utility should be admonished that, pursuant to Sections 367.081(1), and 367.091(3), Florida Statutes, it may in the future only charge rates and charges approved by the Commission. The utility should be allowed to keep the deposits collected during the test year. The utility should also be put on notice that customer deposits

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must be maintained in accordance with Rule 25-30.311, Florida Administrative Code, including refund of deposits after the customer has established a satisfactory payment record of 23 months, and payment of interest as prescribed in the Rule.

Issue 22: Should Park be ordered to show cause, in writing within twenty-one days, why it should not be fined for its apparent violation of Section 367.071, Florida Statutes?

Recommendation: No. A show cause proceeding should not be initiated. However, the utility should be ordered to file an application for transfer of majority control within 90 days of the effective date of the Commission Order.

Issue 23: Should this docket be closed?

Recommendation: Yes. If no timely protest is received upon expiration of the protest period, the PAA Order will become final upon the issuance of the Consummating Order and the docket should be closed.

DECISION: The recommendations were approved with a modification to Issue 3 deleting the text "or connections."

Commissioners participating: Deason, Jacobs, Jaber, Baez

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CASE

27**PAA

DOCKET NO. 000805-EU - Joint petition for approval of territorial agreement between Gulf Power Company and Choctawhatchee Electric Coop., Inc.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: LEG: Isaac
SER: Breman, Matlock, McNulty

Issue 1: Should the Commission approve the Joint Petition for Approval of a Territorial Agreement between Choctawhatchee Electric Cooperative, Inc. and Gulf Power Company?

Recommendation: Yes. The Territorial Agreement between Choctawhatchee Electric Cooperative, Inc. and Gulf Power Company is in the public interest and should be approved.

Issue 2: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a Consummating Order.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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CASE

28**PAA

DOCKET NO. 000780-TL - Request for temporary waiver of physical collocation in the J.T. Butler Central Office by BellSouth Telecommunications, Inc.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: LEG: Fordham
CMP: T. Watts

Issue 1: Should BellSouth's Request for Temporary Waiver of Physical Collocation Requirements in the J. T. Butler central office be granted?

Recommendation: Although the pleading in this docket is styled as a "Temporary Waiver of Physical Collocation Requirements," in the body of its Petition, BellSouth is requesting permanent relief. Staff believes BellSouth's Request for Permanent Waiver of Physical Collocation Requirements in the J. T. Butler central office should be denied. Instead, staff recommends that the Commission grant BellSouth a temporary waiver of physical collocation requirements until the renewal date of the current lease. In the interim, BellSouth should pursue efforts to resolve the issues listed in this recommendation so that physical collocation may be possible in the future. If BellSouth is unable to do so, the company should be allowed to seek another waiver, if necessary.

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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CASE

29**PAA

DOCKET NO. 000684-EQ - Petition for approval of standard offer contract for qualifying cogeneration and small power production facilities by Tampa Electric Company.

Critical Date(s): 2/2/01 (8-month effective date)

Commissioners Assigned: Full Commission
Prehrg Officer - Pending

Staff: SER: Colson, Haff
ECR: Springer
LEG: C. Keating

Issue 1: Should the Commission grant TECO's petition for a waiver of the ten-year minimum contract term required by Rule 25-17.0832(4)(e), Florida Administrative Code, to allow TECO to provide a five-year term?

Recommendation: Yes. TECO has demonstrated that the purpose of the underlying statute will be met, and that TECO and its ratepayers will suffer substantial hardship if the variance is not granted.

Issue 2: Should TECO's petition for approval of a new Standard Offer Contract, based upon a combustion turbine (CT) unit with an in-service date of May 1, 2003, and associated tariffs be approved?

Recommendation: Yes. TECO's new Standard Offer Contract complies with Rule 25-17.0832, Florida Administrative Code. Thus, the Standard Offer Contract and associated tariffs should be approved.

Issue 3: On what date should TECO's proposed Standard Offer Contract become effective?

Recommendation: TECO's proposed standard offer contract should become effective upon the issuance of the consummating order for the waiver if there is no timely protest filed to either the waiver or the standard offer contract portion of the order.

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29**PAA

DOCKET NO. 000684-EQ - Petition for approval of standard offer contract for qualifying cogeneration and small power production facilities by Tampa Electric Company.

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Issue 4: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

DECISION: The recommendations were approved.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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CASE

30**PAA

DOCKET NO. 000868-EI - Petition by Florida Power & Light Company for approval of standard offer contract.

Critical Date(s): 9/15/00 (60-day suspension date)

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: SER: Futrell
ECR: Springer
LEG: C. Keating, Stern

Issue 1: Should FPL's petition for a variance of the ten-year minimum contract term required by Rule 25-17.0832(4)(e), Florida Administrative Code, to a five-year term, be granted?

Recommendation: Yes. FPL has demonstrated that the purpose of the underlying statute will be met, and that FPL and its ratepayers will suffer substantial hardship if the variance is not granted.

Issue 2: Should FPL's petition for approval of a new Standard Offer Contract, based upon a combustion turbine unit with an in-service date of 2002, be approved?

Recommendation: Yes. FPL's new Standard Offer Contract complies with Rule 25-17.0832, Florida Administrative Code. Thus, the Standard Offer Contract and associated tariffs should be approved.

Issue 3: On what date should FPL's proposed Standard Offer Contract become effective?

Recommendation: FPL's proposed standard offer contract should become effective upon the issuance of the consummating order for the waiver if there is no timely protest filed to either the waiver or the standard offer contract portion of the order.

Issue 4: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

DECISION: The recommendations were approved.

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DOCKET NO. 000868-EI - Petition by Florida Power & Light
Company for approval of standard offer contract.

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Commissioners participating: Deason, Jacobs, Jaber, Baez

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CASE

31**PAA

DOCKET NO. 000982-EI - Petition by Florida Power & Light Company for approval of conditional settlement agreement which terminates standard offer contracts originally entered into between FPL and Okeelanta Corporation and FPL and Osceola Farms, Co.

Critical Date(s): 10/19/00 (PAA order required to satisfy condition of settlement agreement.)

Commissioners Assigned: Full Commission
Prehrg Officer ADM

Staff: SER: Haff, Bohrmann, Harlow, Lee
ECR: Lester
LEG: C. Keating

Issue 1: Should the Commission approve Florida Power & Light Company's Petition for Approval of Agreement to Buy Out the Okeelanta Corporation and Osceola Farms Standard Offer Contracts?

Recommendation: Yes. The Agreement appears to be cost-effective and in the best interest of FPL's ratepayers. The Agreement will enable the Okeelanta and Osceola facilities to become merchant plants on the electric grid, thus mitigating potential price spikes in the wholesale electricity market. If the Agreement is approved, FPL should adjust the capital structure in its earnings surveillance reports to comply with the equity ratio cap contained in the stipulation approved by the Commission in Order No. PSC-99-0519-AS-EI.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

DECISION: This item was deferred to the September 26, 2000 Commission Conference.

ITEM NO.

CASE

32**

DOCKET NO. 000697-EI - Petition by Tampa Electric Company for approval of a pilot Green Energy Rate Rider and Program.

Critical Date(s): None

Commissioners Assigned: Full Commission
Prehrg Officer - Pending

Staff: SER: Colson, Lee, Bohrmann
ECR: E. Draper
LEG: Isaac

Issue 1: Should the Commission approve Tampa Electric Company's (TECO) petition for approval of a Pilot Green Energy Rate Rider and Program?

Recommendation: Yes. TECO's proposed pilot is for a period of three (3) years. If approved, TECO's pilot program will be funded over the three-year period from two sources: customer contributions, and a one-time \$100,000 allocation from its approved conservation R&D program. TECO estimates the total cost of the three-year pilot to be approximately \$532,296.

Issue 2: Should the Commission approve TECO's request for an allocation of \$100,000 from its approved Conservation R&D Program?

Recommendation: Yes. Staff believes that TECO's allocation of \$100,000 to its PGERRP is consistent with the approved R&D program participation standards.

Issue 3: Should the Commission approve TECO's request for adjustments to the Fuel and Purchased Power Cost Recovery Clause (Fuel Clause) and the Environmental Cost Recovery Clause (ECRC) as a means of crediting the program for the incremental differences in cost and SO2 emissions between the green energy and energy otherwise generated or purchased from traditional resources?

Recommendation: Yes. Also, staff recommends that TECO should collect data throughout the three-year pilot program to determine the extent that its ratepayers benefit from the pilot program.

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32**

DOCKET NO. 000697-EI - Petition by Tampa Electric Company
for approval of a pilot Green Energy Rate Rider and Program.

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Issue 4: Should this docket be closed?

Recommendation: Yes, if no protest is filed within 21 days
of the issuance of the order.

DECISION: The recommendations were approved. With the modification
made by staff at the conference that the effective date of the pilot
program will be the date of the Commission vote.

Commissioners participating: Deason, Jacobs, Jaber, Baez

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<u>ITEM NO.</u>	<u>CASE</u>
33**PAA	<p>DOCKET NO. 000685-EI - Petition of Tampa Electric Company for approval of a new environmental program for cost recovery through the environmental cost recovery clause.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: Full Commission Prehrg Officer ADM</p> <p>Staff: SER: Breman, Lee, McNulty ECR: D. Draper, E. Draper, Lee, Maurey, Swain LEG: Stern</p> <p><u>Issue 1</u>: Is Tampa Electric Company's Big Bend 1, 2, and 3 Flue Gas Desulfurization System Optimization and Utilization Program eligible for cost recovery through the Environmental Cost Recovery Clause? <u>Recommendation</u>: Yes.</p> <p><u>Issue 2</u>: Should costs incurred prior to June 2, 2000, the date TECO filed its petition, be recovered through the ECRC, pursuant to Order No. PSC-94-1207-FOF-EI? <u>Recommendation</u>: No. Section 366.8255(2), Florida Statutes, only allows for recovery of prospective costs. In addition, TECO was not subjected to "extraordinary circumstances" as defined in Order No. PSC-94-1207-FOF-EI. However, TECO may include the costs incurred prior to June 2, 2000, in its surveillance reports.</p> <p><u>Issue 3</u>: Should this docket be closed? <u>Recommendation</u>: Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.</p>

DECISION: The recommendations for Issues 1 and 3 were approved. The recommendation for Issue 2 was denied.

Commissioner Jaber dissented on Issue 2.

Commissioners participating: Deason, Jacobs, Jaber, Baez

ITEM NO.

CASE

34 DOCKET NO. 981834-TP - Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory.
DOCKET NO. 990321-TP - Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated comply with obligation to provide alternative local exchange carriers with flexible, timely, and cost-efficient physical collocation. (Deferred from the 8/1/00 Commission Conference.)

Critical Date(s): None

Commissioners Assigned: DS JC
Prehrg Officer DS

Staff: CMP: Hinton, Ileri, Fulwood, Dowds, Barrett, Audu,
Simmons
LEG: B. Keating

(ORAL ARGUMENT REQUESTED.)

Issue 1: Should the Commission grant Sprint's Request for Oral Argument?

Recommendation: No. The pleadings more than adequately address the legal and factual issues presented in Sprint's motion. As such, oral argument would not aid the Commission in rendering its decision.

Issue 2: Should the Commission grant GTEFL's Petition for Reconsideration, BellSouth's Motion for Reconsideration and Clarification and Sprint's Motion for Reconsideration and Clarification?

Recommendation: Staff recommends that the Motions for Reconsideration and/or Clarification be granted, in part, and denied, in part, as follows:

I. Copper Entrance Facilities

Staff recommends that BellSouth's request for clarification regarding the Commission's determination on copper entrance facilities be granted. The Commission should clarify that the Commission's decision only addresses the use of copper entrance cabling within the context of collocation outside a central office (CO), but does not

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reach the issue of copper cabling in other situations. The Commission should also clarify that only collocation between an ALEC's controlled environmental vault (CEV) on an ILEC's property and an ILEC CO was considered in this decision, not interconnection between BellSouth's CO and the ALEC's CO.

II. Conversion of Virtual to Physical Collocation

Staff recommends that BellSouth and GTEFL's Motions for Reconsideration regarding conversion of virtual to physical collocation be granted. In view of the fact that a federal court has now rendered an interpretation of federal law that is directly contrary to this Commission's interpretation on this point, staff believes that the Commission's decision on this point may be considered in error. In conformance with the U.S. Court of Appeals for the D.C. Circuit's ruling (DC Circuit or Court), the Commission should determine that the ILEC, rather than the ALEC, may determine where the ALEC's physical collocation equipment should be placed within a central office, even in situations where the ALEC is converting from virtual to physical collocation.

III. Billing for Conversion

Staff recommends that BellSouth's request for clarification on this point be denied. This issue has been fully and clearly addressed in the Commission's Order. Furthermore, there is no evidence in the record to support BellSouth's requested clarification regarding a space preparation charge.

IV. Cross-Connects between Collocators

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34 DOCKET NO. 981834-TP - Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory.
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Staff recommends that BellSouth's and GTEFL's Motions for Reconsideration regarding the Commission's decision on cross-connects between collocators be granted. The FCC's Order 99-48 and the FCC Rules upon which the Commission relied for its decision on this point have been vacated by the DC Circuit. In view of the fact that a federal court has now rendered an interpretation of federal law that is directly contrary to this Commission's interpretation on this point, staff believes that the Commission's decision on this point may be considered in error. In conformance with the Court's decision, the Commission should find that ILECs are not required to allow collocators to cross-connect within a CO. Staff recommends, however, that ILECs be encouraged to consider requests by ALECs for permission to cross-connect.

V. Reservation of Space

Staff recommends that BellSouth's and GTEFL's Motions for Reconsideration be denied as they pertain to reservation of space within a CO. Arguments regarding reservation of space were fully addressed in the Commission's Order. Therefore, BellSouth and GTEFL have failed to identify a mistake of fact or law made by the Commission in rendering its decision.

VI. First-Come, First-Served Rule

Staff recommends that the Commission grant BellSouth and Sprint's Motions for Reconsideration regarding application of the FCC's first-come, first-served rule. The motions for reconsideration demonstrate a mistake made by the

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Commission in rendering its decision on this point. The Commission should determine that an applicant's place on the waiting list for collocation space should be based upon the date the ILEC received the applicant's collocation application.

VII. Implementation Date

Staff recommends that BellSouth's request for clarification regarding the implementation date of the Commission's Order be denied. The implementation date of the Commission's Order was the issuance date of that Order, May 11, 2000.

VIII. Equipment

Staff recommends that the Commission grant GTEFL's Motion for Reconsideration regarding the Commission's decision on equipment that an ILEC must allow to be collocated, to the extent that the decision indicates that parties should rely upon the portions of FCC Order 99-48 that have now been vacated by the DC Circuit. The Commission's decision should, however, remain in place to the extent that it relies upon FCC Order 96-325 and the FCC rules promulgated prior to FCC Order 99-48. Staff further recommends that Sprint's request for clarification be denied.

IX. Site Preparation Cost Recovery

Staff recommends that the Commission deny GTEFL's Motion for Reconsideration as it pertains to site preparation cost recovery. GTEFL has not identified any mistake of fact or law made by the Commission in rendering its decision on this point.

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X. Tour for Partial Collocation Space

Staff recommends that the Commission deny Sprint's Motion for Reconsideration regarding CO tours when an ILEC denies an ALEC part of the collocation space requested. The arguments presented by Sprint were fully addressed in the Commission's Order. Sprint has not identified any mistake of fact or law made by the Commission in rendering its decision on this point.

XI. Response to Application

Staff recommends that the Commission deny Sprint's Motion for Reconsideration as it applies to the Commission's decision on the timing of responses to applications for collocation space. Sprint has failed to identify any mistake of fact or law made by the Commission in rendering its decision on this point. The issue of collocation at remote sites was not raised at hearing in addressing this issue, even though it could have been.

XII. Demarcation Point

Staff recommends that the Commission grant Sprint's request for clarification regarding the appropriate demarcation point. The Commission should clarify that POT bays are permissible as demarcation points, but may not be required.

XIII. Price Quotes

Staff recommends that Sprint's request for clarification regarding price quotes be denied. There is nothing in the record to support the requested clarification.

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DOCKET NO. 990321-TP - Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated comply with obligation to provide alternative local exchange carriers with flexible, timely, and cost-efficient physical collocation. (Deferred from the 8/1/00 Commission Conference.)

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Issue 3: Should the Commission grant FCCA/AT&T's Cross-Motion for Reconsideration?

Recommendation: FCCA/AT&T's Cross-Motion raises identical points raised by the Motions for Reconsideration addressed in Issue 2, and merely indicates that FCCA/AT&T agree with the movants. As such, the Cross-Motion appears to be redundant, and therefore, inappropriate. If, however, the Commission wishes to rule upon the Cross-Motion for Reconsideration, the Cross-Motion should be granted, in part, and denied, in part, as follows:

Tour for Partial Collocation Space

Staff recommends that the Commission deny FCCA/AT&T's Cross-Motion for Reconsideration regarding CO tours when an ILEC denies an ALEC part of the collocation space requested. The arguments presented were fully addressed in the Commission's Order. FCCA/AT&T have not identified any mistake of fact or law made by the Commission in rendering its decision on this point.

First-Come, First-Served Rule

Staff recommends that the Commission grant FCCA/AT&T's Cross-Motion for Reconsideration regarding application of the FCC's first-come, first-served rule. The cross-motion for reconsideration demonstrates a mistake made by the Commission in rendering its decision on this point. The Commission should determine that an applicant's place on the waiting list for collocation space should be based upon the date of the ILEC's receipt of that applicant's collocation application.

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Staff's recommendations on Issue 3 are consistent with its recommendations for Issue 2 on these points. If, however, the Commission modifies or rejects staff's recommendations on Issue 2 with regard to these points, the Commission's decision on Issue 3 should be consistent with the Commission's decision on the same points in Issue 2.

Issue 4: Should these Dockets be closed?

Recommendation: No. Whether the Commission approves or rejects Staff's recommendations on Issues 1-3, these Dockets should remain open to address pricing for collocation in further proceedings.

DECISION: The recommendations were approved for Issues 2, 3 and 4 with the modification that Issues 2(II), (IV), and (VIII) be set for oral argument. The recommendation for Issue No. 1 was denied.

Commissioners participating: Deason, Jacobs

ITEM NO.

CASE

35 DOCKET NO. 990455-TL - Request for review of proposed numbering plan relief for the 305/786 area code - Dade County and Monroe County/Keys Region.
DOCKET NO. 990456-TL - Request for review of proposed numbering plan relief for the 561 area code.
DOCKET NO. 990457-TL - Request for review of proposed numbering plan relief for the 954 area code.
DOCKET NO. 990517-TL - Request for review of proposed numbering plan relief for the 904 area code.

Critical Date(s): 10/1/01, 10/1/04, 10/1/02, 1/1/02, and 10/1/02, respectively (exhaust dates for area codes)

Hearing Date(s): Available upon request

Commissioners Assigned: DS JC
Prehrg Officer - Pending

Staff: CMP: Ileri, Audu, Barrett
LEG: B. Keating, Vaccaro, Fordham

Issue 1: a) Should the Commission approve the industry's consensus relief plans, and
b) If the Commission does not approve the industry's consensus relief plan, what alternative plans should be approved for the following area codes:
A) 305/786
B) 561
C) 954
D) 904

Recommendation: Staff recommends that the Commission approve the industry's consensus relief plan for the 954 area code, and reject the industry's consensus relief plans for the 305/786, 561, and 904 area codes. Staff recommends that the Commission approve Alternative #11 for the 561 area code, Alternative #12 for the 305/786 area codes, and the modified version of Alternative #6 for the 904 area code.

Issue 2: a) What number conservation measure(s), if any, should be implemented, and
b) If conservation measures are to be implemented, when should they be implemented for the following area codes:
A) 305/786
B) 561

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- C) 954
- D) 904

Recommendation: Staff recommends that the Commission adopt and order various number conservation measures as follows. First, staff recommends that the Commission implement thousand-block number pooling in the Daytona Beach MSA in the 904 area code and Fort Pierce-Port St. Lucie MSAs in the 561 area code with the time lines presented in the analysis portion of staff's August 24, 2000 memorandum. Second, staff recommends that the Commission order 75 percent utilization thresholds at the NXX level for all non-pooling carriers in the 305, 561, 786, 904, and 954 area codes as presented in the staff analysis. Third, in non-jeopardy and jeopardy situations, staff recommends that the Commission adopt the aging periods as presented in the staff analysis. Fourth, staff recommends that the Commission limit the ability of code holders to assign administrative numbers to multiple 1,000 blocks, as described in the staff analysis. Lastly, staff recommends that the Commission limit the allocation of NXX codes through rationing to three NXXs per month in the 561, 904, and 954 area codes beginning on March 1, 2001, April 1, 2001, and February 1, 2001, respectively, according to the procedure described in the staff analysis.

Issue 3: What should be the dialing pattern for local, toll, EAS, and ECS calls for the following area codes?

- A) 305/786
- B) 561
- C) 954
- D) 904

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- 35 DOCKET NO. 990455-TL - Request for review of proposed numbering plan relief for the 305/786 area code - Dade County and Monroe County/Keys Region.
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 DOCKET NO. 990457-TL - Request for review of proposed numbering plan relief for the 954 area code.
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Recommendation: The dialing patterns for local, toll, EAS, and ECS calls for the 305/786, 561, 954, and 904 area codes should be as follows: Local, EAS, and ECS calls on routes closed to IXC competition should be on a 7-digit basis within a geographic area code, a 10-digit basis within an overlay area, and 10-digit basis between area codes and outside of an overlay area. Toll and ECS calling on routes open to IXC competition should be on a 1+10-digit basis. A summary is given in Table 3-1:

<u>TYPE OF CALL</u>	<u>DIALING PATTERNS</u>		
	<u>Within Geographic Area Code</u>	<u>Within Overlay</u>	<u>Between Area Codes, Outside Overlay</u>
Local/EAS	7	10	10
ECS Routes Closed to IXC Competition	7	10	10
ECS Routes Open to IXC Competition	1 +10	1 +10	1 +10
Toll	1 +10	1 +10	1 +10

Issue 4: What is the appropriate relief plan implementation schedule for the following area codes?

- A) 305/786
- B) 561

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- 35 DOCKET NO. 990455-TL - Request for review of proposed numbering plan relief for the 305/786 area code - Dade County and Monroe County/Keys Region.
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- C) 954
- D) 904

Recommendation: Upon approval of Issue 1, staff recommends that the Commission approve the implementation schedule shown in the following table. The Commission should also order the affected LECs to send a letter to alarm monitoring companies advising them of the need to reprogram their equipment as necessary nine months before the mandatory dialing period in each NPA. The letter should be submitted to Commission staff for review in an expeditious manner so as to ensure that the reprogramming activities can be completed within the respective permissive dialing period.

<u>AREA CODE</u>	<u>PERMISSIVE DIALING PERIOD BEGINS</u>	<u>MANDATORY DIALING PERIOD BEGINS</u>
305/786	November 6, 2000	August 6, 2001
561	June 4, 2001	June 3, 2002
954	March 5, 2001	March 11, 2002
904	January 15, 2001	November 5, 2001

Issue 5: Should these dockets be closed?

Recommendation: No. Staff recommends that these dockets should remain open pending the implementation of the relief plans and additional number conservation measures in accordance with the time frames discussed in Issues 2 and 4.

DECISION: This item was deferred to a special Commission Conference to be held on September 29, 2000.

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35 DOCKET NO. 990455-TL - Request for review of proposed numbering plan relief for the 305/786 area code - Dade County and Monroe County/Keys Region.
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<u>ITEM NO.</u>	<u>CASE</u>
36	<p>DOCKET NO. 981827-EC - Complaint and petition by Lee County Electric Cooperative, Inc. for an investigation of the rate structure of Seminole Electric Cooperative, Inc.</p> <p>Critical Date(s): None</p> <p>Commissioners Assigned: DS JC JB Prehrg Officer JC</p> <p>Staff: LEG: C. Keating ECR: Wheeler SER: Ballinger</p> <p>(PARTIES MAY PARTICIPATE AT COMMISSION'S DISCRETION.)</p> <p><u>Issue 1</u>: Does the Commission have jurisdiction over the subject matter of Lee County Electric Cooperative, Inc.'s complaint and petition? <u>Recommendation</u>: Yes. The Commission has jurisdiction over the subject matter of Lee County Electric Cooperative, Inc.'s complaint and petition.</p> <p><u>Issue 2</u>: Should this docket be closed? <u>Recommendation</u>: No. This docket should remain open for the Commission to consider the merits of Lee County Electric Cooperative, Inc.'s complaint and petition.</p>

DECISION: The recommendations were denied. The docket is to be closed if no motion for reconsideration is filed.

Commissioner Jacobs dissented.

Commissioners participating: Deason, Jacobs, Jaber

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