

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution by Lake Wales ) DOCKET NO. 940406-TL  
City Commission requesting ) ORDER NO. PSC-94-1019-FOF-TL  
extended area service throughout ) ISSUED: August 23, 1994  
Polk County. )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
SUSAN F. CLARK  
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION ORDER  
GRANTING MOTION TO MODIFY ORDER REGARDING INTERLATA ROUTES

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On June 21, 1994, GTE Florida Inc. (GTEFL) filed a Motion for Modification of Order No. PSC-94-0666-PCO-TL, issued June 1, 1994. The Company seeks relief from filing traffic studies on its interLATA (local access transport area) routes for the Lake Wales to Avon Park, Bowling Green, and Fort Meade routes. GTEFL asserts that AT&T has "taken back" certain of the end user billing activities that GTEFL used to perform. This transfer of functions means that GTEFL no longer has access to all the interLATA data necessary to compile the traffic studies the Commission has requested.

Upon review, we shall grant the Motion for Modification. Currently, staff is preparing rules to address the interLATA traffic study concern. After the conclusion of Docket No. 930220-TL, the EAS rulemaking docket, we will address outstanding interLATA traffic studies such as those presented in this docket. The remaining routes, which are intraLATA, will not be affected by this modification and will be processed as usual.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that GTEFL's Motion for Modification of Order No. PSC-94-0666-PCO-TL is hereby granted and the Company shall not be required to file traffic data on the interLATA routes discussed in that Order. It is further

ORDERED that this docket shall remain open until after the conclusion of the EAS rulemaking docket, at which time we shall address the interLATA routes.

ORDERED that this Order shall become final and effective on the date set forth below if no timely protest is filed pursuant to the requirements set forth below.

By ORDER of the Florida Public Service Commission, this 23rd day of August, 1994.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

by: Kay Deegan  
Chief, Bureau of Records

( S E A L )

DLC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative

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Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on September 13, 1994.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.