

M E M O R A N D U M

ORIGINAL

January 26, 1999

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (COX) *WPC*
RE: DOCKET NO. 981795-TP - Investigation into telephone exchange boundary issues in South Volusia County (Deltona Area).

Please file the attached letter and PSC response in the above-referenced docket:

1. Letter from Ms. Maryann Yaskanich, City Clerk, City of DeBary with attached Resolution No. 99-01 dated January 6, 1999 (and PSC response)

WPC/slh
Attachment
cc: June McKinney
cc: Division of Communications

ACK _____
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APP _____
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SEC 1 _____
WAS _____
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FPSC-RECORDS/REPORTING

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(850) 413-6199

Public Service Commission

January 25, 1999

Ms. Maryann Yaskanich, City Clerk
City of DeBary
137 South US Highway 17-92
DeBary, Florida 32713

Re: Docket No. 981795-TP: Investigation into Telephone Exchange Boundary Issues in South Volusia County (Deltona area)

Dear Ms. Yaskanich:

Thank you for your January 7, 1998, letter to Chairman Joe Garcia regarding Resolution No. 99-01 adopted by the City Council of the City of DeBary, Florida. We truly appreciate your interest and willingness to work with the Florida Public Service Commission in this effort. I am responding to your letter because Chairman Garcia is prohibited by Chapter 350, Florida Statutes, from commenting on the merits of matters pending before the Commission.

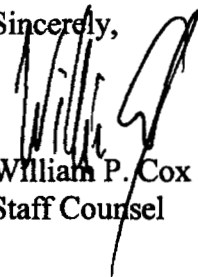
As you may be aware, the Florida Public Service Commission conducted several public hearings for customers in the Orlando and Brevard County areas regarding the overlay plan for the 407 area code. Upon review of the record and the recommendation of the Commission's staff, the Commission voted on December 1, 1998, to adopt the staff recommendation whereby Brevard County would receive a new area code, and the new area code also would overlay the existing 407 area code in Orange, Seminole, and Osceola Counties. (See Order No. PSC-98-1761-FOF-TL) The Commission felt that this plan would keep the strongest communities of interest intact and provide the longest lives for the old and new area codes.

Ms. Yaskanich
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In addition, the Commission has opened a new docket, Docket No. 981795-TP, in an effort to address the issues that you raise in your letter regarding the Deltona area. The Commission's staff will conduct a workshop on Thursday, January 28, 1998, at 2:30 pm at the Deltona Community Center, 980 Lakeshore Drive, Deltona, Florida. We would greatly encourage your participation in this workshop.

We will place your letter as a comment letter in the docket file for this case. If you have any additional questions, please feel free to call me at (850) 413-6204, or Levent Ileri of the Commission's Division of Communications at (850) 413-6562. Thank you again for your interest in this matter.

Sincerely,



William P. Cox
Staff Counsel

WPC/slh
cc: Jorge Cruz-Bustillo
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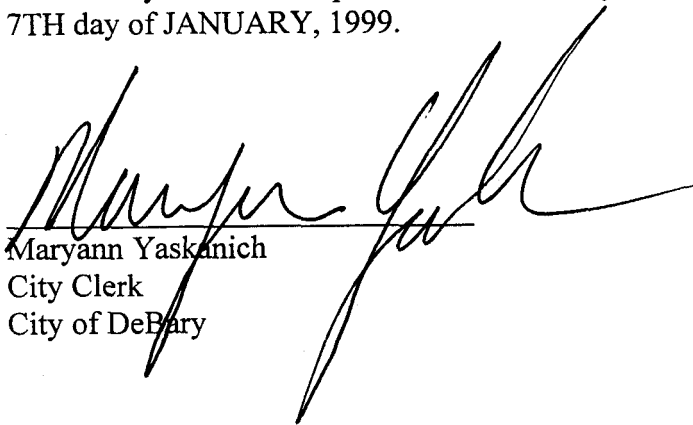
City of DeBary
137 South US Highway 17-92⁹⁹⁻⁰⁰¹⁰ JAN 14
DeBary, FL 32713
Phone: 407-668-2040
Fax: 407-668-4122

CERTIFICATE OF RESOLUTION NO. 99-01

State of Florida
County of Volusia
City of DeBary

I the undersigned, duly appointed City Clerk of the City of DeBary, Florida hereby certifies that the attached is a true and correct copy of RESOLUTION NO. 99-01 adopted by the City Council on the 6TH day of JANUARY, 1999 and as shown in the public records of the City of DeBary on file in the office of the City Clerk.

Witness my hand and corporate seal of the City of DeBary, Florida this 7TH day of JANUARY, 1999.



Maryann Yaskanich
City Clerk
City of DeBary

RESOLUTION NO. 99-01

A RESOLUTION OF THE CITY OF DeBARY, VOLUSIA COUNTY, FLORIDA OPPOSING THE ASSIGNMENT OF A THIRD TELEPHONE CALLING AREA CODE WITHIN THE COUNTY, POSTED WITH THE STATE OF FLORIDA PUBLIC SERVICE COMMISSION.

WHEREAS, the City of DeBary is a duly established municipal corporation and has the power to exercise municipal home rule powers under the Constitution and laws of the State of Florida, and

WHEREAS, Volusia County is divided into two telephone calling areas, called Local Access Transport Areas (LATA)interconnectable only by long distance carriers, and

WHEREAS,the southwestern portion of Volusia County is separated from the remainder of the County by a LATA boundáry, and

WHEREAS, two local exchange companies, BellSouth and Sprint-United, serve portions of this southwestern area from four different exchanges, and

WHEREAS, two cities have been constituted in that area within the past three years, DeBary and Deltona, and

WHEREAS,the integrity of the City of Deltona and the City of DeBary, is being seriously compromised by the calling pattern, and

WHEREAS, the City of DeBary already has been divided between two different area codes within the City, and

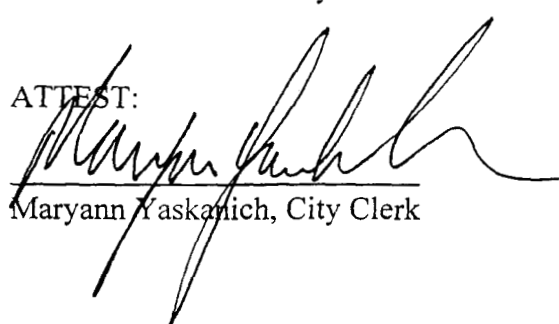
WHEREAS, the expense, additional effort, and confusion of adding another area code to that area would make an already intolerable situation much worse;

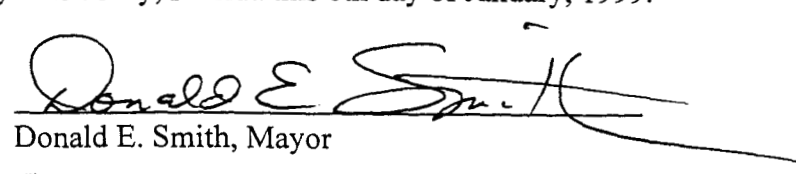
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of DeBary, Volusia County, Florida, as follows:

SECTION 1. To unanimously request that the State of Florida Public Service Commission not assign an additional area code within Volusia County at this time.

ADOPTED BY the City Council of the City of DeBary, Florida this 6th day of January, 1999.

ATTEST:


Maryann Yaskovich, City Clerk


Donald E. Smith, Mayor