

ORIGINAL

Legal Department

NANCY B. WHITE
Assistant General Counsel-Florida

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BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (305) 347-5558

RECORDS AND REPORTING

April 6, 1999

Mrs. Blanca S. Bayó Director, Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee. FL 32399-0850

Re: Docket No. 981345-TP (EAS - So. Brevard Cty.)

Dear Ms. Bayó:

Enclosed please find the original and fifteen copies of BellSouth Telecommunications, Inc.'s Joint Motion for Commission Approval of Memorandum of Understanding, which we ask that you file in the above-captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

parties shown on the attached Certificate of Set	
ACK	Sincerely,
AFA	Nancy
APP	riwing_
CAF	Nancy B. W
CMU Barrell	
CTR/vf	
EAG Enclosures	
LEG cc: All parties of record	
LIN 3 Marshall M. Criser III	
OPC William J. Ellenberg II	
RCH	
SEC	
WAS	
OTH	

Nancy B. White (M)

DOCUMENT NUMBER-DATE

04445 APR-68

FPSC-RECORDS/REPORTING

## CERTIFICATE OF SERVICE Docket No. 981345-TP

I HEREBY CERTIFY that a copy of the foregoing has been furnished by

U.S. Mail this 6th day of April, 1999 to:

Beth Keating William Cox Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Commissioner Helen Voltz 651 Emerson Drive, N.E. Palm Bay, FL 32907

Commissioner Nancy Higgs 1311 E. New Haven Avenue Melbourne, FL 32901

Micco Homeowners Association E.M. Cunningham Post Office Box 451 Roseland, FL 32957

Nancy B. White

**ORIGINAL** 

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation into telephone	)	Docket No. 981345-TP
exchange boundary issues in South	)	
Brevard County	)	
	)	Filed: April 6, 1999

## JOINT MOTION FOR COMMISSION APPROVAL OF MEMORANDUM OF UNDERSTANDING

BellSouth Telecommunications, Inc. ("BellSouth"), certain members of the Brevard County Commission, and Mike Cunningham, a member of Micco Homeowners Association (the "Parties") jointly file this motion to request that the Commission approve the Memorandum of Understanding (the "Memorandum") between them, and that it take all action specified therein. All Parties to the Memorandum have authorized BellSouth to file this Motion on their joint behalf. The Memorandum is attached as Exhibit A.

- 1. The Commission established this docket to resolve concerns over how South Brevard County would be affected by the implementation of the 321 area code. In particular, representatives of Brevard County expressed the desire to move portions of South Brevard County from the 561 area code into the new 321 area code.
- 2. In an effort to resolve these concerns, representatives of Brevard County, the Micco Homeowners Association and BellSouth met with Commission staff in a formal meeting held February 3, 1999.
- 3. As a result of these discussions, the Parties have agreed to a plan that would allow South Brevard County to be included in the new 321 area code.

  Under the terms of the Memorandum of Understanding (the "Memorandum"), DOCUMENT HUMBER-DATE

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BellSouth would create a new exchange to encompass all South Brevard County customers presently in the 561-663- XXXX and 561-664-XXXX NXX's, and switch these NXX's to the 321 area code.

- 4. South Brevard customers in the new exchange would be given a new area code, but would not have to change their 7-digit numbers. Moreover, these customers would retain 7-digit dialing in the portion of their local service area covered by the 321 area code.
- 5. The Parties believe that the implementation of the Memorandum would be in the public interest.

For all of the foregoing reasons, the Parties request that the Commission grant the relief requested.

Respectfully submitted this 6th day of April, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

NANCY B. WHITE

MICHAEL P. GOGGIN

c/o Nancy Sims

150 South Monroe Street, Suite 400

Tallahassee, FL 32301

(305) 347-5555

WILLIAM J. ELLENBERG II

675 West Peachtree Street, #4306

Atlanta, Georgia 30375

(404) 335-0711

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EXHIBIT A

## MEMORANDUM OF UNDERSTANDING

RE: Florida PSC Docket No. 981345-TP - Investigation into telephone exchange boundary issues in South Brevard County

By the Undersigned parties:

As a result of a formal meeting on February 3, 1999, between the Florida Public Service Commission Staff, BellSouth, and representatives from Brevard County in the above referenced docket, BellSouth and the representatives from Brevard County have come to a mutually agreeable understanding regarding the status of telecommunications service in South Brevard County currently within the 561 area code.

In an attempt to resolve this proceeding, the parties agree and understand the following:

- 1. BellSouth will establish a new exchange that will encompass all of the customers in the 561-663 and 561-664 NXXs.
- 2. BellSouth will change the customers identified in 1 from 561 area code to 321 area code.
- 3. The calling scope and local exchange rate for the new exchange will remain the same as it is at the time of this filing.
- 4. The area code change discussed in 2 will require the customers to change their area code and should not require any further number changes.
- 5. The dialing pattern for the areas moved to the 321 area code will be the following:
  - a. IntraNPA local (including EAS) 7 digits
  - b. InterNPA local (including EAS) 10 digits
  - All ECS with competition 1+10 digits
  - Inter NPA ECS without competition 10 digits
- 6. BellSouth will work to ensure there will be no impact to the 911 and local Directory Assistance provided to the customers of the new exchange
- 7. The Florida Public Service Commission shall ballot the customers in the new exchange to determine if the customers are acceptable to the changes proposed by this Memorandum of Understanding.
- 8. The Florida Public Service Commission shall determine the appropriate balloting methodology to be used to evaluate whether the ballot passes or fails.
- 9. If the ballot fails, the Florida Public Service Commission should close this docket since there is no other option that could resolve this proceeding.
- 10. If the ballot passes, BellSouth, the representatives from Brevard County, and the Florida Public Service Commission Staff will work out an acceptable implementation schedule for the changes listed herein.
- 11. BellSouth does not waive any rights or grant the Florida Public Service Commission any additional authority except as what is expressly granted to it by Chapter 364, Florida Statutes.
- 12. The Florida Public Service Commission will allow BellSouth to recover its cost of implementation of this Memorandum of Understanding by methods other than end users.

Now Therefore,

The parties acknowledge and agree to this Memorandum of Understanding and submit it to the Florida Public Service Commission as a resolution to this proceeding. If the Florida Public Service Commission does not accept this Memorandum in full then the Memorandum of Understanding is null and void.

Nancy Higgs

Date **Brevard County Commissioner** 

District 3

BellSouth Telecommunications, Inc.

Helen Voltz

Mike Cunningham

Brevard County Commissioner

The Walt

District 5

Date

Date

President, Micco Homeowners Assn.