



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

## -M-E-M-O-R-A-N-D-U-M-

RECEIVED-FPSC  
SEP 14 AM 8:46  
RECORDS AND REPORTING

**DATE:** SEPTEMBER 14, 2000

**TO:** DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYÓ)

**FROM:** DIVISION OF COMPETITIVE SERVICES (ILERI) *xi*  
DIVISION OF LEGAL SERVICES (B. KEATING) *pl*

**RE:** DOCKET NO. 000258-TL - INVESTIGATION INTO TELEPHONE EXCHANGE BOUNDARY ISSUES IN ST. AUGUSTINE AND PALM COAST EXCHANGES (DAYTONA BEACH AND JACKSONVILLE LATA BOUNDARIES).

**AGENDA:** 9/26/00 - REGULAR AGENDA - FINAL ACTION - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** NONE

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\LEG\WP\000258RA.RCM

### CASE BACKGROUND

At the January 27, 2000, customer hearing in Docket No. 990517-TL, the Request for Review of Proposed Numbering Plan Relief for the 904 Area Code, Mr. and Mrs. Richard Rubino from the Palm Coast area expressed concerns about the boundary between the Daytona Beach and Jacksonville LATAs. As a result, this docket was opened to investigate the exchange boundary issues in this particular area. At the aforementioned customer hearing, BellSouth indicated that it would cooperate in efforts to resolve this matter.

The Commission first received complaints from residents in this area pertaining to telephone exchange boundary issues in early 1999. Staff also received complaints from the Rubinos, the Waltmans and the Boehms. These residents asserted that they would like to be able to call toll-free to the Palm Coast exchange. They explained that they all live in Flagler County, but are served from

DOCUMENT NUMBER-DATE

11455 SEP 14 8

FPSC-RECORDS/REPORTING

the St. Augustine exchange, which is in the Jacksonville LATA. The residents complained that their current local calling area includes the Hastings, St. Augustine, and St. Johns exchanges, instead of locations in Flagler County. Although they have extended calling to Green Cove Springs, Jacksonville, Jacksonville Beach, Julington, and Ponte Vedra Beach, these customers indicate that they would prefer to be in the Palm Coast exchange.

On November 4, 1999, BellSouth responded to staff's inquiries in the above referenced complaints. In its letter, BellSouth explained that it is legally prohibited from carrying traffic across a LATA boundary. BellSouth did, however, acknowledge that on some occasions, the Federal Communications Commission (FCC) has granted waivers to modify a LATA boundary, provided that there has been a determination through balloting that there is a significant community of interest. BellSouth further stated that any remedy to these customers' concerns would require a change in LATA boundary, and they would also need to change their telephone numbers and local calling areas.

On February 24, 2000, staff met with a BellSouth representative in an effort to find a remedy to this situation. The BellSouth representative again emphasized that the affected customers would have to agree to the changes to their telephone numbers and their local calling areas that would be necessitated by the boundary change before BellSouth would request a waiver of the LATA boundary from the FCC. He noted that in the past the Commission has utilized a survey process to inform customers of similar situations and to gauge their willingness to accept such changes.

The Commission issued Order No. PSC-00-0825-PAA-TL, which ordered a survey of the customers that would be affected by the proposed transfer from the Flagler County pocket of the St. Augustine exchange to the Palm Coast exchange.

This recommendation addresses the results of the subscriber survey.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Based on the results of the subscriber survey, should the customers in the Flagler County pocket of the St. Augustine exchange be transferred to the Palm Coast exchange?

**RECOMMENDATION:** No. Based on the results of the subscriber survey, staff recommends that the customers should not be transferred. The survey results, which are summarized in Table A, indicate that although a sufficient number of ballots were returned to satisfy the criteria specified in Order No. PSC-00-0825-PAA-TL, the majority chose not to be transferred. **(ILERI)**

**STAFF ANALYSIS:** Pursuant to Order No. PSC-00-0825-PAA-TL, issued April 26, 2000, the survey was conducted using, as a guideline, Rule 25-4.063, Florida Administrative Code, which sets forth the survey provisions applicable to balloting in extended area service (EAS) cases. However, instead of the thresholds set forth in subsection (6) of the rule, the Commission found it appropriate to require that at least 60 percent of the subscribers balloted must respond, and of those responding, at least a majority must vote in favor of the boundary change. The balloting results demonstrate that the response threshold was met, but the majority chose not to be transferred.

**TABLE A**

<b>BALLOTING RESULTS</b>		
	<b>NUMBER OF BALLOTS</b>	<b>PERCENT OF BALLOTS</b>
Mailed	54	100.00%
Returned	41	75.92%
		<b>PERCENT OF RESPONSE</b>
<b>FOR</b> Transfer	8	19.51%
<b>AGAINST</b> Transfer	33	80.49%

DOCKET NO. 000258-1L  
DATE: SEPTEMBER 14, 2000

Therefore, staff recommends not transferring customers from the Flagler County pocket of the St. Augustine exchange to the Palm Coast exchange.

**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed. (B. KEATING)

**STAFF ANALYSIS:** If the Commission approves staff's recommendation in Issue 1, this docket should be closed.