

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing by	)	DOCKET NO. 900216-TL
SOUTHERN BELL TELEPHONE AND TELEGRAPH	)	
COMPANY to eliminate the intrastate	)	ORDER NO. 24123
\$5.00 Charge for a change in GTE FLORIDA	)	
INC.'s interexchange presubscription.	)	ISSUED: 2-18-91
(T-90-086, filed 3-1-1990)	)	
	)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 BETTY EASLEY  
 FRANK S. MESSERSMITH  
 MICHAEL MCK. WILSON

NOTICE OF PROPOSED AGENCY ACTIONORDER ACKNOWLEDGING WITHDRAWAL OF PROPOSED TARIFFAND CLOSING DOCKET

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.

Responding to a request by GTE Florida Inc. (GTEFL) that Southern Bell change its tariff to eliminate the intrastate primary interexchange carrier (PIC) change charge for end users in GTEFL's service territory, Southern Bell filed revised tariffs on March 1, 1990, and Docket No. 900216-TL was opened. At the agenda conference held on April 17, 1990, this Commission voted to suspend the tariff pending the outcome of Docket No. 900037-TI (Petition To Investigate and Eliminate Or Reduce Intrastate Primary Interexchange Carrier Change Charge by MCI Telecommunications Corporation).

In Orders Nos. 23438 and 23340 (Docket No. 900037-TI) the Commission directed Southern Bell to file a tariff on behalf of all LECs other than Centel and United Telephone Company of Florida (UTFL) to eliminate the intrastate PIC change charge; directed UTFL to file a tariff to eliminate the intrastate PIC change charge; and

DOCUMENT NUMBER DATE  
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authorized the Commission staff to administratively approve such correctly filed tariffs within five days after they were filed with the Commission.

Docket No. 900216-TL was opened when GTEFL sought through Southern Bell to eliminate its PIC change charge. As this was accomplished in Docket No. 900037-TI through a generic decision, the issue within Docket No. 900216-TL of whether to allow GTEFL to eliminate its PIC change charge has been rendered moot. Therefore the tariff filed in this docket by Southern Bell on behalf of GTEFL is deemed withdrawn, and this docket may be closed.

It is therefore

ORDERED that Southern Bell's tariff requesting elimination of GTEFL's PIC change charge is deemed withdrawn. It is further

ORDERED that this docket shall be closed if no protest is filed in accordance with the requirements set forth below.

By ORDER of the Florida Public Service Commission this 18th day of FEBRUARY, 1991.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

RJP

by: Kay Helton  
Chief, Bureau of Records

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

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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 Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on March 11, 1991.

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 sewer 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.