

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 940773-TL
tariff filing to extend the) ORDER NO. PSC-94-1108-FOF-TL
waiver of switched access trunk) ISSUED: September 8, 1994
non-recurring charges to IXCs in)
connection with the transport)
rate structure by GTE FLORIDA)
INCORPORATED.)
(T-94-348 filed July 5, 1994))

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER AUTHORIZING LOCAL EXCHANGE COMPANIES TO FILE
TARIFFS FOR EXTENDING WAIVER OF NON-RECURRING CHARGES

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.

In Docket No. 930615-TL, we granted GTE Florida Incorporated's (GTEFL) request to waive, through April 30, 1994, certain non-recurring charges (NRC) in its Switched Access tariff to allow interexchange companies (IXC) to reconfigure their switched transport facilities. See Order No. PSC-93-1257-FOF-TL, issued August 30, 1993. GTEFL's filing was prompted by the Federal Communications Commission's (FCC's) order in CC Docket No. 91-213, Transport Rate Structure and Pricing, which required that a similar waiver be implemented in the interstate arena. The purpose of the waiver was to allow IXCs time to adapt to the new Local Transport rate structure approved by the FCC effective December 1993. Other local exchange companies (LECs) were similarly authorized to provide NRC waivers.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

LECs are currently operating under an interim rate structure for interstate access. Specifically, the Local Transport switched access rate element is no longer a single, per minute rate. Instead, it is composed of various distance sensitive rates for entrance facilities, direct-trunked transport, and tandem-switched transport. This rate structure results in different charges to IXC customers depending on how they configure their trunking arrangements.

The same rate structure has been proposed in Florida and was addressed in the hearing for local transport restructure on August 22-24, 1994 in Docket No. 921074-TP. For this reason, both the FCC and this Commission have authorized LECs to allow IXCs a period of time to configure their trunking arrangements more efficiently without incurring all the costs that would normally be assessed. This has been accomplished by waiving the non-recurring charges associated with converting trunks from tandem-switched to direct-trunked or vice versa, as well as charges associated with discontinuing overprovisioned trunks.

GTEFL has filed to renew and extend the NRC waiver through December 31, 1994 to allow additional time for IXCs to plan and order their switched transport services efficiently. GTEFL's tariff was approved in Order No. PSC-94-1107-FOF-TL, issued September 8, 1994.

The other major LECs also have had NRC waivers in place. Since all the authorized deadlines in their tariffs have passed, they need to update their intrastate tariffs if they plan to continue or renew offering the waivers. Those LECs that plan to renew the waiver period shall submit revised tariffs no later than September 16, 1994. We hold that these tariffs shall become effective on the date filed or the requested effective date, whichever is later.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that local exchange telephone companies are authorized to file tariffs no later than September 16, 1994 if they plan to renew or extend the waiver period for non-recurring charges.

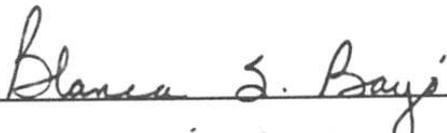
ORDERED that these tariff filings shall become effective on the date filed or the requested effective date, whichever is later. It is further

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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. It is further

ORDERED that if no protest is timely filed according to the requirements set forth below and if no timely protest is filed in Order No. PSC-94-1107-FOF-TL, then this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 8th day of September, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(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 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 29, 1994.

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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 substantially 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.