

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution by Bay County) DOCKET NO. 950700-TL
Commission requesting extended) ORDER NO. PSC-96-1025-FOF-TL
area service (EAS) countywide) ISSUED: August 7, 1996
within Bay County.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING STIPULATION AND AGREEMENT
FOR EXTENDED CALLING SERVICE

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.

This docket was initiated pursuant to Resolution No. 1877 filed on April 18, 1995, by the Bay County Commission requesting countywide extended area service (EAS) within Bay County. The Panama City, Panama City Beach, Lynn Haven, and Youngstown-Fountain exchanges are provided service by BellSouth Telecommunications, Inc. (BellSouth). St. Joseph Telephone and Telegraph Company (St. Joe) serves the Beaches and Tyndall AFB exchanges. These exchanges are located in the Panama City LATA (local access and transport area).

By Order No. PSC-95-1426-PCO-TL, issued November 27, 1995, the Commission ordered BellSouth and St. Joe to conduct traffic studies on the routes at issue in this docket.

On June 20, 1996, the Office of the Public Counsel (OPC) filed a Notice of Intervention in this docket. On June 20, 1996, the Bay County Board of Commissioners, BellSouth, St. Joe, and the OPC filed a Stipulation and Agreement (Agreement) with the Commission to implement extended calling service (ECS) on the remaining toll routes within Bay County. The Agreement is attached to this Order as Attachment 1. Because Bay County has two military operations which are supported by the surrounding communities, the Agreement

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proposes to implement ECS on the remaining toll routes within Bay County.

The Agreement states that ECS will be implemented on the following toll routes within Bay County:

Lynn Haven/The Beaches
Lynn Haven/Tyndall AFB
Panama City Beach/Youngstown-Fountain
Panama City Beach/The Beaches
Panama City Beach/Tyndall AFB
The Beaches/Youngstown-Fountain
Tyndall AFB/Youngstown-Fountain

The Agreement also provides that for ECS, residential customers shall pay \$.25 per call regardless of duration and business calls shall be rated at \$.10 for the first minute and \$.06 for each additional minute. Pay telephone providers will charge end users no more than \$.25 per ECS call and pay the standard interconnection charge. Interexchange carriers may continue to carry the same types of traffic on these routes that they are now authorized to carry. The Agreement provides that ECS calls originating from BellSouth's exchanges will be dialed on a 1+10 digit basis, and ECS calls originating from St. Joe's exchanges will be dialed on a 7 digit basis.

The Agreement also provides that ECS will be implemented on these routes within six months of the issuance of the final order in this docket. BellSouth and St. Joe will file tariffs with the Commission to accomplish the implementation of ECS on the proposed routes. BellSouth and St. Joe are exempted from the provision of the Commission rules concerning directory distribution on the proposed ECS routes until the regularly scheduled directories are distributed for each of the proposed exchanges.

Upon review, we accept the Agreement. Except for the different dialing patterns between local exchange companies, the terms specified in the Agreement are essentially the same as those we have required when we have ordered the implementation of ECS. The Agreement requires ECS calls originating from BellSouth's exchanges to be dialed on a 1+10 digit basis, and ECS calls originating from St. Joe exchanges to be dialed on a 7 digit basis. Because Bay County currently has exchanges with different dialing patterns, as do other exchanges in Florida, we do not object to the dialing disparity in this case. ECS should provide toll relief to the customers who want the service without having an adverse impact on the customers who do not need the service.

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Accordingly, we accept the Stipulation and Agreement filed by the Bay County Board of Commissioners, the OPC, BellSouth and St. Joe.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Stipulation and Agreement, found in Attachment 1 to this Order, filed by the Bay County Board of Commissioners, the Office of Public Counsel, BellSouth Telecommunications, Inc., and St. Joseph Telephone and Telegraph Company for extended calling service is hereby accepted as discussed in the body of this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 7th day of August, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: *Kay J. [Signature]*
Chief, Bureau of Records

(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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 28, 1996.

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.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution of Bay)
County Commission Requesting) Docket No. 950700-TL
Extended Area Service (EAS))
countywide within Bay County) Filed: 6/20/96
Florida)

STIPULATION and AGREEMENT

The within named parties, the Bay County Board of Commissioners (the board); BellSouth Telecommunications, Inc. (BellSouth); the St. Joseph Telephone & Telegraph Company (St. Joe); and the Office of the Public Counsel (Citizens) do hereby stipulate and agree as follows:

1. This stipulation is intended to resolve all issues presented in this docket:
2. Based on the unique characteristics of this county having two military operations which are supported by the surrounding communities, BellSouth and St. Joe will, within six months of the receipt of the final order in this docket, furnish Extended Calling Service (ECS) on the existing toll routes within Bay County, described as follows:

Lynn Haven/The Beaches

Lynn Haven/Tyndall AFB

Panama City Beach/Youngstown-Fountain

Panama City Beach/The Beaches

Panama City Beach/Tyndall AFB

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The Beaches/Youngstown-Fountain
Tyndall AFB/Youngstown-Fountain

3. BellSouth and St. Joe shall file tariffs with the Florida Public Service Commission in order to accomplish the implementation of ECS on the above routes including the following terms:
- Residential customers shall pay \$.25 per call regardless of duration.
 - Business calls shall be rated at \$.10 for the first minute and \$.06 for each additional minute.
 - When implemented, pay telephone providers will charge end users no more than \$.25 per ECS call and pay the standard interconnection charge.
 - ECS calls originating from BellSouth exchanges will be dialed on a 1+ 10 digit basis, and ECS calls originating from St. Joe exchange will be dialed on a 7 digit basis.
 - IXCs may continue to carry the same types of traffic on this route that they are now authorized to carry.
4. The Bay County Board of Commissioners accepts this stipulation in full settlement of their application to the Florida PSC requesting Extended Area Service countywide within Bay County.

5. BellSouth and St. Joe are exempted from the provisions of PSC rules concerning directory distribution on the above ECS routes until such time as the regularly scheduled directories are distributed for each of the above exchanges.
6. This Stipulation shall be interpreted under the laws of the State of Florida. This Stipulation is null and void unless it is accepted and approved by the Commission in its entirety.
7. Each of the undersigned persons has full authority to represent and bind their indicated principals;

OFFICE OF THE FLORIDA PUBLIC COUNSEL

By: Jack Shreve

DATE: June 19, 1996

THE BOARD OF COUNTY COMMISSIONERS

By: Rick A. [Signature]

CHAIRMAN

DATE: June 17, 1996

BELLSOUTH TELECOMMUNICATIONS, INC.

By: Nancy H. Sims

DATE: June 4, 1996

ST. JOSEPH TELEPHONE & TELEGRAPH COMPANY

By: John M. Vangie

DATE: June 6, 1996