**FLORIDA 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**

 **May 9, 1996**

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

**FROM: DIVISION OF COMMUNICATIONS (SHELFER)**

 **DIVISION OF LEGAL SERVICES (BARONE)**

**RE: DOCKET NO. 960461-TL - PETITION FOR WAIVER OF RULE 25-4.040 SUBSECTIONS (1) AND (2), F.A.C., BY CENTRAL TELEPHONE COMPANY OF FLORIDA REGARDING PUBLICATION OF TELEPHONE DIRECTORIES**

**AGENDA: MAY 21, 1996 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE**

**CRITICAL DATES: NONE**

**SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\960461TL.RCM**

 **CASE BACKGROUND**

 On April 9, 1996, Central Telephone Company of Florida (Centel or the Company) filed a Petition for Waiver of Rule 25-4.040 subsections (1) and (2), Florida Administrative Code. Centel states that granting a waiver of these rules (which pertains to directories) would allow it to provide the Greenville and Madison exchange customers with more current directory listings and would save the Company approximately $5,800.

 **DISCUSSION OF ISSUES**

**ISSUE :** Should Centel's Petition for Waiver of Rules 24-4.040 subsections (1) and (2), F.A.C., to extend the directory delivery date for the Tallahassee white pages to the Greenville and Madison exchanges be approved?

**RECOMMENDATION:** Yes. Centel's Petition for Waiver of Rules 24-4.040 subsections (1) and (2), F.A.C., to extend the directory delivery date for the Tallahassee white pages to the Greenville and Madison exchanges should be approved.

**STAFF ANALYSIS:** Centel has requested a waiver of Rules 25-4.040 subsections (1) and (2), F.A.C. Rule 25-4.040 subsection (1), F.A.C., requires in part that: "Each local telecommunications company shall normally publish updated telephone directories once every 12 months and shall publish updated directories at least once every 15 months." Rule 25-4.040 subsection (2), F.A.C. requires in part that: "When expanded calling scopes are involved, as with Extended Area Service, each subscriber shall be provided with directory listings for all published telephone numbers within the local service area."

 The Company states that currently the Greenville and Madison exchanges have extended area service (EAS) to Tallahassee. Under the rule, these customers are entitled to Tallahassee listings. The Madison directory, which includes and is also delivered to Greenville customers, is published in June. The Tallahassee directory is published in December. Centel has been reprinting the Tallahassee white pages each June for distribution with the Madison directory.

 Instead of distributing the Tallahassee directories in June, Centel is proposing to provide the Tallahassee directory to the Greenville and Madison exchange customers in December when the Tallahassee directories are distributed. This extension would result in customers receiving more current listings and would save the Company approximately $5,800. However, this proposal would require a waiver of Rule 25-4.040 subsections (1) and (2), F.A.C.

 In its Petition, the Company states that the Madison and Greenville exchanges have EAS to Tallahassee. Staff would like to point out that only the Greenville exchange has EAS to Tallahassee. The Madison exchange has $.25 calling into the Tallahassee exchange. These differences do not affect Centel's Petition.

 Staff does not object to granting Centel's Petition for Waiver of Rule 24-4.040 subsections (1) and (2), F.A.C. Rule 24-4.040 subsection (1), F.A.C. allows up to 15 months to publish updated directories. Centel is requesting a three month extension to this rule provision. By allowing Centel a three month extension to provide Tallahassee directories to the Greenville and Madison exchanges, these customers will have more current directory listings. These customers currently have Tallahassee directories; therefore, the delay in providing updated directories should not adversely affect the Greenville and Madison customers.

 Staff recommends that Centel's Petition for waiver of Rule 24-4.040 subsections (1) and (2), F.A.C. to extend the directory delivery date for Greenville and Madison exchanges for the Tallahassee listings be granted.

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

**RECOMMENDATION:** Yes. With the approval of Issue 1, if no person whose substantial interests are affected by the Commission's proposed agency action files a protest within 21 days of the issuance date of the order, this docket should be closed.

**STAFF ANALYSIS:** With the approval of Issue 1, if no person whose substantial interests are affected by the Commission's proposed agency action files a protest within 21 days of the issuance date of the order, this docket should be closed.