

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by Washington) DOCKET NO. 920028-TL
County Board of Commissioners) ORDER NO. PSC-92-1480-FOF-TL
for extended area service between) ISSUED: 12/23/92
Sunny Hills, Panama City, Lynn)
Haven and Youngstown-Fountain)
exchanges.)
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
SUSAN F. CLARK
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

ORDER REGARDING EAS

BY THE COMMISSION:

This docket was initiated pursuant to a request by the Washington County Board of Commissioners for extended area service (EAS) between Sunny Hills and the Panama City exchange. We included Lynn Haven and Youngstown-Fountain to avoid leapfrogging exchanges. Therefore, the Sunny Hills EAS request is for Panama City, Lynn Haven and Youngstown-Fountain. BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) serves all the above-mentioned exchanges, and all are located within the Panama City LATA. The Sunny Hills exchange is located in Washington County, and the Panama City, Lynn Haven and Youngstown-Fountain exchanges are located in Bay County. Lynn Haven, Youngstown-Fountain and Panama City currently have EAS to each other. Sunny Hills has EAS to Vernon and Chipley and enhanced optional extended area service (EOEAS) to Lynn Haven and Panama City Beach.

By Order No. 25688, issued February 4, 1992, we required the Company to conduct traffic studies on these routes. By Order No. PSC-92-0583-PCO-TL, we granted Southern Bell's request for confidential treatment of the intraLATA traffic data filed by the Company in this docket.

By Order No. PSC-92-0791-FOF-TL, issued August 10, 1992, we directed Southern Bell to survey the customers in the Sunny Hills exchange for flat rate, two-way nonoptional EAS between Sunny Hills and Panama City using the 25/25 plan with regrouping. We further ordered that the fifty-one (51%) favorable vote requirement of Rule 25-4.063(5)(a), Florida Administrative Code, be waived, and a simple majority of the total subscribers in the Sunny Hills exchange voting favorable would be considered sufficient for passage of the survey.

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Southern Bell mailed 908 ballots to all customers of record in the Sunny Hills exchange. The results of the survey follow:

RESULTS BASED ON OLD EAS RULES		
	NUMBER	PERCENT
Ballots Mailed	908	100.00%
Ballots Returned	569	62.67%
Ballots Not Returned	339	37.33%
For EAS	342	37.67%
Against EAS	221	24.34%
Invalid	6	.66%
Ballots Needed to Pass	445	50.00% + 1

Under the terms of the survey, a simple majority of the total subscribers in the Sunny Hills exchange must vote favorably; or 70% of the subscribers must respond to the survey and 60% of the respondents must vote favorably. Based on these requirements the survey did not pass.

Based upon the foregoing, it is

ORDERED by the Florida Public Service Commission that the extended area service survey failed. Thus, BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company shall not be ordered to implement two-way, nonoptional EAS between Sunny Hills and Panama City, Lynn Haven, and Youngstown-Fountain.

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By ORDER of the Florida Public Service Commission this 23rd
day of December, 1992.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CWM

by: Kary Flynn
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 should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or 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 after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.