

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petitions for waiver of Rule) DOCKET NO. 900537-TL
 25-4.040(2), Florida Administrative Code,) ORDER NO. 23416
 regarding provision of directories to) ISSUED: 8-29-90
 subscribers by ST. JOSEPH TELEPHONE AND)
 TELEGRAPH COMPANY AND QUINCY TELEPHONE)
 COMPANY.)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
AND
ORDER DENYING PETITIONS FOR WAIVER
OF RULE 25-4.040(2), FLORIDA ADMINISTRATIVE CODE

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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

By Order No. 22367, issued January 3, 1990, we announced our intention to require implementation of a toll relief plan between Tallahassee and all exchanges in Gadsden County. No protests were filed to Order No. 22367, so it became final and effective on January 25, 1990, as reflected in our Consummating Order No. 22477, issued January 29, 1990.

Chattahoochee was excepted from Order No. 22477, pending a survey of subscribers to determine their willingness to pay more each month for toll free calling within Gadsden County and to Tallahassee. On April 12, 1990, following survey approval by the Chattahoochee subscribers, we issued Order No. 22810 requiring implementation of the toll relief plan between all Gadsden County exchanges and to and from Tallahassee.

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FPSC-RECORDS/REPORTING

ORDER NO. 23416
DOCKET NO. 900537-TL
PAGE 2

Quincy Telephone Company (Quincy) and St. Joseph Telephone and Telegraph Company (St. Joe) each filed a petition to waive Rule 25-4.040(2), Florida Administrative Code, which reads in part:

(2) . . . 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 areas. (emphasis added).

This docket was opened to examine this issue as raised in these petitions.

Under Rule 25-4.040(2), each of the involved local exchange companies (LECs) are required to provide their subscribers with directory listings (alphabetical white pages) for all published numbers within the new calling scope. Therefore, under the rule, St. Joe would be required to provide its Chattahoochee subscribers additional listings for Greensboro, Gretna, Havana, Quincy and Tallahassee; Quincy would have to provide listings for Chattahoochee and Tallahassee to its subscribers in Greensboro, Gretna and Quincy; Southern Bell Telephone and Telegraph Company (Southern Bell) would have to provide its Havana subscribers additional listings for Chattahoochee; and Central Telephone Company of Florida (Centel) would have to provide its Tallahassee subscribers additional listings for Chattahoochee, Greensboro, Gretna and Quincy.

The Petitioners argue that no consideration was given to the significant cost of complying with Rule 25-4.040(2) during the deliberations concerning expansion of the local calling scope in Gadsden County. While these costs were not specifically addressed, we did address the cost issue when we waived Rule 25-4.062(4), Florida Administrative Code, which provides for full cost recovery when ordering extended area service. Thus, we did not anticipate that the extended area service would be without cost to the local exchange companies.

Therefore, until directories are reissued by the end of the year for each of the companies, each company shall provide directory assistance or directories for all their respective additional listings at no cost to the end user.

ORDER NO. 23416
DOCKET NO. 900537-TL
PAGE 3

Since exchanging listings among the companies would provide benefits to each, we find that it is reasonable for each company to bear the cost of providing its own listings to the other companies. When directories are reissued to contain all the additional listings, the companies shall be required to provide one another, at no charge, alphabetical white page listings or directories. St. Joe will provide Centel, Quincy and Southern Bell its Chattahoochee exchange listings; Quincy will provide St. Joe and Centel its Greensboro, Gretna and Quincy listings; Centel will provide St. Joe and Quincy its Tallahassee listings; and Southern Bell will provide Quincy and St. Joe its Havana listings. This same procedure shall apply to subsequent directories.

Therefore, based on the foregoing, it is

ORDERED by the Florida Public Service Commission that both Quincy Telephone Company's and St. Joseph Telephone and Telegraph Company's Petitions for Waiver of Rule 25-4.040(2), Florida Administrative Code, are denied as set forth herein. It is further

ORDERED that until directories are reissued by the end of the year for each of the companies, Central Telephone Company of Florida, Quincy Telephone Company, St. Joseph Telephone and Telegraph Company and Southern Bell Telephone and Telegraph Company, shall make directory assistance or directories available for their respective additional listings at no cost to the end user. It is further

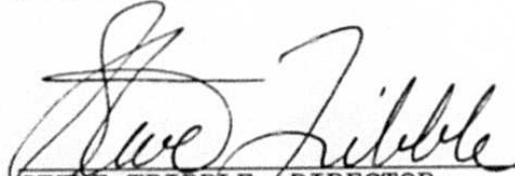
ORDERED that when directories are reissued, each company shall provide to the others, at no charge, either the alphabetical white page listings or directories as set forth in the body of this Order. It is further

ORDERED that this Order shall become final on the first working day following the date specified below, unless an appropriate petition protesting our proposed agency action is filed within the time period specified below. It is further

ORDERED that if no protest is filed within the time period specified below, this docket shall be closed by the consummating order to be issued in this docket.

ORDER NO. 23416
DOCKET NO. 900537-TL
PAGE 4

By ORDER of the Florida Public Service Commission, this 29th
day of August, 1990.



STEVE TRIBBLE, DIRECTOR
Division of Records and Reporting

(S E A L)
ABG/CM

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 at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on September 19, 1990

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by

ORDER NO. 23416
DOCKET NO. 900537-TL
PAGE 5

Rule 25-22.029(6), Florida Administrative Code, and as reflected in a subsequent order.

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.