

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by the Foxridge) DOCKET NO. 920918-TL
Subdivision Homeowners) ORDER NO. PSC-93-0868-FOF-TL
Association (Zephyrhills) to) ISSUED: June 9, 1993
change the Tampa-North boundary)
to include the residents of)
Country Crossing)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
THOMAS M. BEARD
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER DENYING PETITION

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.

On August 24, 1992, the Foxridge Subdivision Homeowners Association filed a petition requesting that the Tampa-North exchange be extended to include the Country Crossing subdivision, which is located in the Zephyrhills exchange. The petition states that the subdivision is one street east of the Tampa-North exchange boundary, and that many of the residents either work or conduct business in the Tampa area. Both the Tampa-North and Zephyrhills exchanges are served by GTE Florida Incorporated (GTEFL or the Company).

On March 1, 1993, GTEFL sent a questionnaire and ballot to the members of the Foxridge Subdivision Homeowners Association. The Company mailed 284 ballots, and 195 were returned. Of those ballots returned, 155 customers voted in favor of the boundary change, 38 voted against the change, and 2 ballots were invalid. It is clear that a majority of the customers are in favor of the boundary change.

Zephyrhills customers currently have Extended Area Service (EAS) to Tampa-North. Additionally, as of January 27, 1993, they

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also have Extended Calling Service (ECS) at \$.25 per call for residents and \$.10 for the first minute plus \$.06 per additional minute for business lines to Tampa-Central, Tampa-East, Tampa-West and Tampa-South. GTEFL states that if the Country Crossing Subdivision, which is located in Pasco County, is moved into the Tampa-North exchange, also located in Pasco County, a toll charge would be required for these subscribers to call their county seat, Dade City, whereas it is currently toll free to the Dade City exchange.

GTEFL estimates that network costs of \$361,877, or \$1,274 per customer, would be incurred to transfer this area into the Tampa-North exchange. The Company states that the costs are based on rehoming an existing fiber hub facility which serves the entire Foxridge Subdivision. This facility is located approximately 29,600 feet from the Wesley Chapel central office. A fiber cable and supporting conduit is proposed for this route. A fiber system and digital loop carrier is proposed for homing to the Wesley Chapel base unit.

Even though a majority of subscribers are in favor of the boundary change, we find that the \$361,877 cost to move 284 customers is prohibitive. The County Crossing Subdivision in the Zephyrhills exchange already has toll-free calling to Tampa-North, and ECS to the rest of the Tampa exchanges. Accordingly, we deny the petition to expand the Tampa-North exchange to include the Country Crossings Subdivision.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the petition of the Foxridge Subdivision Homeowners Association requesting expansion of the Tampa-North exchange to include the County Crossings Subdivision, currently located in the Zephyrhills exchange, is hereby denied. It is further

ORDERED that if no proper protest to this proposed agency action is filed within the time frame set forth below, this Order shall become final and effective and this docket shall be closed.

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By ORDER of the Florida Public Service Commission this 9th day
of June, 1993.



STEVE TRIBBLE, Director
Division of Records and Reporting

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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 June 30, 1993.

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.

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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 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.