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BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of  
Petition for numbering plan  
area relief for 904 area  
code by BellSouth  
Telecommunications, Inc.  
-----

DOCKET NO. 961153-TL



PROCEEDINGS: PANAMA CITY SERVICE HEARING

BEFORE: CHAIRMAN SUSAN F. CLARK  
COMMISSIONER DIANE K. KIESLING  
COMMISSIONER JOE GARCIA

DATE: November 5, 1996

TIME: Commenced at 6:30 p.m.  
Concluded at 7:00 p.m.

PLACE: Commission Room  
City Hall  
9 Harrison Avenue  
Panama City, Florida

REPORTED BY: H. RUTHE POTAMI, CSR, RPR  
Official Commission Reporter

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FPSC-RECORDS/REPORTING

1 **APPEARANCES:**

2                   **ROBERT G. BEATTY, BellSouth**  
3 **Telecommunications, Inc., Museum Tower Building, Suite**  
4 **1910, 150 West Flagler Street, Miami, Florida 33130,**  
5 **Telephone No. (305) 347-5555, appearing on behalf of**  
6 **BellSouth Telecommunications, Inc.**

7                   **CHARLES J. BECK, Deputy Public Counsel,**  
8 **Office of Public Counsel, 111 West Madison Street,**  
9 **Room 812, Tallahassee, Florida 32399-1400, Telephone**  
10 **No. (904) 488-9330, appearing on behalf of the**  
11 **Citizens of the State of Florida.**

12                   **CHARLIE PELLEGRINI, Florida Public Service**  
13 **Commission, Division of Legal Services, 2540 Shumard**  
14 **Oak Boulevard, Tallahassee, Florida 32399-0870,**  
15 **Telephone No. (904) 413-6199, appearing on behalf of**  
16 **the Commission Staff.**

17  
18  
19 **ALSO PRESENT:**

20                   **RALPH WIDELL**  
21                   **WAYNE TUBAUGH**

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**P R O C E E D I N G S**

**(Hearing convened at 6:30 p.m.)**

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**CHAIRMAN CLARK:** We'll call the hearing to order. We have some formalities to go through prior to taking any testimony from members of the public. Let's start with reading the notice. Charlie, would you please read the notice.

**MR. PELLEGRINI:** Yes. Pursuant to notice dated October 22nd, 1996, this time and place has been set for a service hearing in Docket 961153-TL, petition for numbering plan area relief for 904 area code by BellSouth Telecommunications, Inc.

**CHAIRMAN CLARK:** Thank you. We'll take appearances starting with you, Mr. Beck.

**MR. BECK:** Thank you. My name is Charlie Beck, Office of the Public Counsel, Claude Pepper Building, Room 812, Tallahassee, Florida, 32399-1400, appearing to sponsor public witnesses.

**MR. BEATTY:** I'm Robert Beatty, counsel for BellSouth Telecommunications, Inc. My address is 150 West Flagler Street, Suite 1910, Miami, Florida, 33130.

**MR. PELLEGRINI:** My name is Charles Pellegrini, counsel for the Public Service Commission. Appearing with me is Ralph Widell with the Staff.

1           **CHAIRMAN CLARK:** My name is Susan Clark.  
2 I'm the Chairman of the Public Service Commission, and  
3 with me today are Commissioner Kiesling, who is on my  
4 right, and Commissioner Garcia, who is on my left.  
5 And our purpose for being here is to hear from members  
6 of the public, however many they may be.

7           Your comments today are going to be recorded  
8 by our official court reporter, who is Ruthe Potami,  
9 and you will need to come to the microphone so she can  
10 record what you have to say.

11           By way of background, the process for  
12 determining an area code begins with the code holders  
13 in the telecommunications industry, which is the local  
14 exchange company. Cellular companies and pagers  
15 companies are unable to reach a consensus as to where  
16 to draw the line if we have a new area code.

17           This particular proceeding began when the  
18 code administrator, which is currently BellSouth,  
19 filed a petition requesting that the Commission  
20 determine the area code relief method to implement  
21 changes in the 904 area code.

22           We have several documents that I hope you  
23 have picked up that give you information about this  
24 proceeding and the need for area code changes, the  
25 first of which is a single-page document, this blue

1 document, and it's entitled "Why Do Area Codes Have To  
2 Be Changed," and it provides a brief explanation of  
3 the history of the North American numbering plan used  
4 in the United States and some of the reasons for the  
5 need for new codes.

6           Then, secondly, we have a special report,  
7 and this document explains the history of this  
8 particular proceeding and the three options that have  
9 been proposed by the code administrator. Pages 5, 6  
10 and 7 are maps showing area codes.

11           Since this is an official proceeding of the  
12 Commission, we have parties who have intervened who  
13 have indicated their desire to participate formally in  
14 this proceeding and may sponsor witnesses to give  
15 testimony on the option they may support.

16           Also, during this whole proceeding we will  
17 hold public hearings like this elsewhere. We had one  
18 last night in Pensacola. We will have one in  
19 Tallahassee, another one in Jacksonville, and another  
20 one in Daytona.

21           During these public hearings all the parties  
22 who are participating in the case are represented, and  
23 you heard who those people are. Mr. Beck is  
24 representing the public, Mr. Beatty represents  
25 BellSouth, Mr. Pellegrini and Mr. Widell represent the

1 Commission Staff in this proceeding.

2 I would also like to indicate that there are  
3 other representatives of the Commission Staff here who  
4 you may talk to if you don't wish to give testimony.  
5 They're in the back. And it's Sandy Simmons -- if  
6 you'll raise your hand -- and Robby Cunningham is over  
7 here. This gentleman right here is not with the  
8 Commission, he's with BellSouth, and he's Wayne  
9 Tubaugh.

10 Our procedure tonight is going to ask those  
11 who wish to testify to be sworn in, and then we'll ask  
12 you to come to the microphone so we can hear your  
13 testimony and the court reporter can take it down.  
14 Since we have only two people signed up and two people  
15 here, we'll go ahead and hear from both of you and  
16 then we will probably take a break for 10 minutes to  
17 see if anyone else is going to come to this hearing.  
18 If no one shows up in 10 minutes, then we will adjourn  
19 the hearing. Is there any other preliminary matter I  
20 need to cover? (No response)

21 Mr. Beck, will you go ahead and start with  
22 the first person.

23 MR. BECK: Thank you, Chairman Clark. The  
24 first witness is Pamela Johnson.

25 CHAIRMAN CLARK: Let me swear you in. And

1 the other gentleman who is going to speak, if you  
2 would stand and be sworn at the same time.

3

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**PAMELA JOHNSON**

5 appeared as a witness and, having been duly sworn,  
6 testified as follows:

7

**DIRECT STATEMENT**

8 Hello. Good evening. My name is Pam  
9 Johnson. I currently serve as customer care manager  
10 of the Panama City Cellular Telephone Company, Ltd.,  
11 which is licensed by the FCC Commission to provide  
12 cellular telephone service to the Panama City, Florida  
13 metropolitan statistical area, which encompasses all  
14 of Bay County. Our company markets its cellular  
15 service under the service mark of Cellular One.

16 Our service area in Bay County has an  
17 estimated 1996 population of 145,711. We have  
18 operated the Panama City cellular system since its  
19 inception in 1988. I'm here tonight to discuss the  
20 impact on our company and our customers if the Panama  
21 City LATA is required to change its area code and,  
22 more importantly, to discuss the policy considerations  
23 that I feel must be included in an analysis of the  
24 proposed area code geographic splits.

25

As I'm sure you've heard time and time



1 again, any area code change is disruptive to the  
2 persons affected and costly to both the  
3 telecommunications providers and their customers. Our  
4 company has implemented a number of recent area code  
5 changes in Florida, Georgia and Alabama.

6           We estimate that the cost to our company to  
7 implement an area code change for our subscribers in  
8 Panama City would amount to approximately \$150,000 in  
9 addition to the disruption and cost to our customers.  
10 To a company our size, \$150,000 is a significant  
11 expense. But the reality is that regardless of which  
12 area code split you select, there will be a cost and  
13 disruption to telecommunication providers and their  
14 customers.

15           The more important consideration is how  
16 adequately -- how equitably we allocate this burden of  
17 the new area code to one of the proposed geographic  
18 areas. To adequately analyze this issue, you must  
19 determine one basic fact; what region of the current  
20 904 area is most responsible for the depletion of the  
21 available numbers in the 904 area code.

22           Equity dictates that the burden and expense  
23 of implementing an area code change should fall upon  
24 that geographic area that has received the greatest  
25 benefit from the current telephone numbering

1 resources. It's simply fair play and sound regulatory  
2 policy that those that enjoy the greatest benefits  
3 also bear the burdens of sustaining the systems from  
4 which they receive those benefits.

5           Currently there are several proposals before  
6 the PSC for geographic division of the current 904  
7 area code. The first proposal would retain the  
8 present 904 area code in the Jacksonville and Daytona  
9 LATAs and assign the new 850 area code to the  
10 Pensacola, Panama City and Tallahassee LATAs. The  
11 second proposal would assign the new 850 area code to  
12 Pensacola and Panama City LATAs only, while retaining  
13 904 elsewhere.

14           We feel that both of those proposals should  
15 be rejected. These two proposals ignore the fact that  
16 the majority of the phone users in the current 904  
17 area code reside in the area of the Jacksonville and  
18 Daytona LATAs. Undoubtedly, demand for second  
19 telephone lines for Internet hookups, fax machines and  
20 other telecommunication uses in the highly populated  
21 region of the Jacksonville and Daytona LATAs was the  
22 major contributor to the current depletion of the  
23 available numbers in the 904 area code.

24           Clearly the Jacksonville and Daytona LATAs  
25 have received the greatest benefit of the current

1 number and resources and they should bear the burden  
2 and cost of sustaining the area code system.  
3 Accordingly, fairness dictates that the Panama City  
4 Pensacola and Tallahassee LATAs retain the current 904  
5 area code, and the new 850 area code should be  
6 assigned to the Jacksonville and Daytona LATAs.

7 Thank you.

8 **CHAIRMAN CLARK:** Thank you, Ms. Johnson.

9 Any questions? (No response.) Thank you.

10 **MR. BECK:** Thank you. Don Bryan.

11 - - - - -

12 **DON BRYAN**

13 appeared as a witness and, having been duly sworn,  
14 testified as follows:

15 **DIRECT STATEMENT**

16 Well, first off, I'm just a homeowner. My  
17 name is Don Bryan.

18 **CHAIRMAN CLARK:** Would you spell your last  
19 name.

20 **WITNESS BRYAN:** B-R-Y-A-N. My phone number  
21 is important to me. And I didn't have much notice to  
22 prepare for this. I don't know why you picked  
23 election night. I mean, you know, nothing is right  
24 about this. But, anyway, I'm here because my phone  
25 number is important.

1 I've had my phone number since 1967. I've  
2 been away for two years at a time. I always kept my  
3 phone number. You have people who may not call you  
4 but every three or four years. Guess what. They're  
5 going to get somebody else. Somebody else isn't going  
6 to know there was a change in the area code, et  
7 cetera, et cetera.

8 But she is right; Pam was right. Let those  
9 who are responsible for this pay for it. They have to  
10 pay in other ways; schooling, sewage, all the other  
11 utilities, and yet you're going to put it on the  
12 little old outlying area of Panama City and Pensacola,  
13 sure as shooting. It won't happen to Tallahassee, I  
14 bet you that. So -- it won't. You watch.

15 So, anyway --

16 COMMISSIONER GARCIA: Just so you know, the  
17 first plan we're considering --

18 WITNESS BRYAN: Well, I didn't know about  
19 the --

20 COMMISSIONER GARCIA: If you don't mind,  
21 I'd --

22 WITNESS BRYAN: Go ahead.

23 COMMISSIONER GARCIA: Maybe I can explain it  
24 to you. If you'll look on the green sheet -- and this  
25 can serve for, I guess, some of the people who don't

1 know it who just arrived --

2 WITNESS BRYAN: Right.

3 COMMISSIONER GARCIA: -- two other new  
4 people. If you look at the first page which shows the  
5 map, there's Page 5, 6, and 7. I don't know if you've  
6 got one. There's --

7 WITNESS BRYAN: I have one.

8 COMMISSIONER GARCIA: Okay. On the first  
9 plan that we're considering, the area code change does  
10 include Tallahassee and on the second one it does not,  
11 but that one favors the way you'd like to see it,  
12 which is to remain as is and Tallahassee goes with  
13 you. And then the third one is a change that doesn't  
14 include Tallahassee, but does include you. Just so --

15 WITNESS BRYAN: Okay.

16 COMMISSIONER GARCIA: -- an idea of what's  
17 out there.

18 WITNESS BRYAN: We'll see how it all works  
19 out. You haven't been to Tallahassee yet, have you?

20 COMMISSIONER GARCIA: Oh, no.

21 CHAIRMAN CLARK: That's tomorrow night --  
22 no, Thursday night.

23 WITNESS BRYAN: Okay. Well, anyway, the  
24 other thing of it is, you know, it's a little --  
25 you're not giving people much notice. It's not going

1 to impact me like it will some of the businesses, but  
2 some of these businesses have advertising that may be  
3 in effect for a long period. They have stationery.  
4 Of course they buy it in volume because they can save  
5 money.

6 I say if you're going to make the change,  
7 let BellSouth and the other people involved help pay  
8 the cost of this. Reduce -- whoever has to bear the  
9 burden of this, reduce the cost in their area.

10 Better yet, don't take out of the percentage  
11 of profit, take it out of the percentage of management  
12 salaries that's responsible for not giving us more  
13 notice. They know. I mean, you know, we have -- who  
14 better than the phone company knows where the growth  
15 areas are? They see it every day. They could have  
16 seen this five years ago. It would have had less  
17 impact.

18 Anyway, as I say, I really didn't have a  
19 chance to prepare for it. We didn't have any  
20 information. All I knew was I knew you were going to  
21 change my phone number, and I object. All right.

22 COMMISSIONER GARCIA: Mr. Bryan, let me give  
23 you several suggestions.

24 WITNESS BRYAN: Okay.

25 COMMISSIONER GARCIA: If you'd like to

1 prepare a more thorough discussion for us, on this  
2 green sheet you will find that there is an address  
3 where you can mail it, and it becomes part of the  
4 public record; and you can put out as much information  
5 as you'd like.

6 I do believe that you can call Mr. Widell on  
7 this particular issue and discuss specifics with him,  
8 and that's what he's there for. You can call through  
9 the 1-800 number and they'll put you through. So it  
10 doesn't even cost you on that. And if you can't get  
11 through, you leave your number and Mr. Widell will  
12 call you back at our expense. And you also can call  
13 the 1-800 number and leave your opinion on there, and  
14 you can let anyone know. But, as you can imagine,  
15 we're going -- we did this in Pensacola, we're going  
16 to do it in Panama Beach, and we're going to do it in  
17 Jacksonville in the next few weeks.

18 **WITNESS BRYAN:** Okay. But if you would just  
19 consider the fact that the growth area always has to  
20 pay the burden in most situations. Why should the  
21 phone system be any different? And you people in the  
22 Commission here are set up to represent us, the  
23 people; and even though you may think it's easier  
24 to -- because we're smaller, to put it on us, it isn't  
25 fair. It just flat isn't fair.

1           Let those who -- Pamela said it better than  
2 I. You know, reap the benefit of all this, let them  
3 pay. And that's all I have to say.

4           **CHAIRMAN CLARK:** Thank you, Mr. Bryan. Are  
5 the two people that just came in -- we have started  
6 the proceeding. You've heard the two other people who  
7 are here. Do you want to make a statement about the  
8 area code change?

9           **UNIDENTIFIED SPEAKER:** Actually, I'm not on  
10 record as a speaker, but if I may.

11          **CHAIRMAN CLARK:** You may.

12          **WITNESS BRYAN:** One thing, area code 805 --

13          **CHAIRMAN CLARK:** Wait a minute. You can't  
14 do that. You've got to come up here, because she  
15 can't hear you.

16          **WITNESS BRYAN:** Oh, I'm sorry. In the paper  
17 this morning they mentioned area code 805. It's going  
18 to upset a lot of people in California if they find  
19 out it's being changed; okay?

20          **MR. WIDELL:** It's 850.

21          **WITNESS BRYAN:** Well, it's in the paper as  
22 805.

23          **CHAIRMAN CLARK:** Unfortunately, we can just  
24 give them the information and hope they do --

25          **UNIDENTIFIED SPEAKERS:** (Simultaneous



1 comments)

2           **CHAIRMAN CLARK:** If you would like to come  
3 up to the microphone, we are swearing people in so  
4 that we can rely on what you have to say, so if you  
5 would raise your right hand.

6

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7

**KRISTEN EAGEN**

8 appeared as a witness and, having been duly sworn,  
9 testified as follows:

10

**DIRECT STATEMENT**

11

12           My name is Kristen Eagen. I'm the general  
13 manager of 360 Communications, the other cellular  
14 provider in town. Really, I didn't prepare any speech  
15 or anything like that; I'm just kind of talking from  
16 my experience, having moved down here from Chicago  
17 where we went through a four area code split,  
18 basically. And all I really ask that you consider  
19 when you do make your decisions is the cost analysis  
20 of it all, and the other issue being what happens to  
21 the end consumer, the customer, of all of ours.

22

23           As far as costs go, when you do -- and you  
24 know this -- when you change an area code over for a  
25 land line customer, local telephone, really you're  
just changing the area code, and they don't have to  
bring in telephones and equipment to be programmed and

1 all that. It's really a relatively simple process,  
2 other than maybe letting your friends and neighbors  
3 know that your number has changed, and also maybe  
4 changing the speed dial numbers on your phone. It's  
5 really a very simple process.

6           In the wireless world, however, as you know,  
7 cellular phones, pagers and PCS, which is up and  
8 coming, we really have tremendous costs involved in  
9 changing the area codes. So I kind of like the  
10 original argument there, which is in Jacksonville and  
11 other areas of the community involved in this possible  
12 area code change are the ones incurring most of the  
13 demand for these numbers. Then I would ask that we  
14 look at the cost causer argument for that, because,  
15 conversely, over here in Panama City, you know, we've  
16 got many thousands of cellular customers, as does Cell  
17 One.

18           All those people have to come in and to  
19 bring their phone equipment in to us. There's a cost  
20 involved in reprogramming those phones and  
21 reinitializing the service so that it works properly,  
22 and it takes quite a long time to get that many  
23 customers back in to do this.

24           So, really, just wanted to point out that  
25 cost involved, and also the inconvenience to the end

1 user; whereas on the local telephone side, like a lot  
2 of the numbers are skewed. You know, in Jacksonville  
3 you've got however many hundreds of thousands of  
4 customers that are involved, but a lot of that is just  
5 local telephone; and so you have to weigh out the  
6 wireless side of the equation.

7           **COMMISSIONER GARCIA:** Seeing that your  
8 company is one of the providers in Leon County also, I  
9 would assume that then you would probably favor the --  
10 I can't figure which one your company would favor. I  
11 guess --

12           **WITNESS EAGEN:** None of them. I propose a  
13 fourth option. (Laughter)

14           **COMMISSIONER GARCIA:** Just so that you  
15 know -- and, Ralph, you can correct me if I'm wrong --  
16 I think that when we did this in Dade County for the  
17 Dade/Broward split, we gave the cell providers and the  
18 beeper carriers an extended amount of time, if I'm not  
19 mistaken, to switch over.

20           **MR. WIDELL:** Not necessarily the beepers,  
21 but the cellular -- (inaudible) --

22           **THE REPORTER:** Excuse me.

23           **COMMISSIONER GARCIA:** Hold up the mike,  
24 because they can't hear you.

25           **MR. WIDELL:** I just said that the cellular

1 folks in the 954 area, they still have permissive  
2 dialing, while the pagers cut early this year and the  
3 regular subscribers cut in August this year, and  
4 there's no reason why that couldn't be done again; but  
5 I'm not --

6           **COMMISSIONER GARCIA:** Well, maybe it's  
7 something we should look at after we --

8           **MR. WIDELL:** Right.

9           **WITNESS EAGEN:** And that's a good point.  
10 That would be very helpful. Even, I think, in Chicago  
11 there was about a year grace period, and that would be  
12 very helpful, again, just to minimize the disturbance  
13 to our customers. I'm guessing probably Option 2  
14 would be the least difficult.

15           **COMMISSIONER KIESLING:** I think it's also  
16 important to realize these are the three options that  
17 were put forth by BellSouth after consultation with  
18 everyone else. It doesn't necessarily mean that those  
19 are the only three that would be possible.

20           **WITNESS EAGEN:** Okay. Thank you.

21           **CHAIRMAN CLARK:** Thank you, Ms. Eagan.  
22 Ms. Johnson, would you like to add something?

23           **WITNESS JOHNSON:** I just have one question.  
24 Have you all seen any cost analysis on -- of course,  
25 you know, we're in favor of Option 2 because it's way

1 out of the Panhandle area, Jacksonville and Daytona.  
2 With that area being the fastest growing area, who is  
3 to say where they do not have an area code change, and  
4 Panama City/Pensacola area did have the area code  
5 change, all the numbers being depleted in, say,  
6 another year or so -- and you would probably know this  
7 more so than they would -- how fast would they run out  
8 of the 904 if, in fact --

9           **COMMISSIONER GARCIA:** That's one of the  
10 things that gets considered.

11           **CHAIRMAN CLARK:** We will look at --

12           **COMMISSIONER GARCIA:** It's one of the  
13 options that we go through when -- and, in fact, it's  
14 discussed in some of the --

15           **WITNESS EAGEN:** Okay. I guess my question  
16 is --

17           **COMMISSIONER GARCIA:** But the reality --  
18 there is an opposite argument that we heard at the  
19 other hearing the other day, which was someone from  
20 Pensacola Beach stated, why don't you give us a new  
21 area code, that way we'll have that number for a lot  
22 longer period of time. In other words, we just  
23 changed Broward County's area code from 305 to 954.  
24 They will probably go unchanged somewhere in the  
25 neighborhood of 12 to 15 years. Dade County will be

1 split probably in the next two to three. So --

2 CHAIRMAN CLARK: That's one thing we will  
3 look at, the longevity in the particular options --

4 WITNESS EAGEN: I assume BellSouth has  
5 probably analyzed --

6 (Simultaneous conversation.)

7 CHAIRMAN CLARK: They will provide us the  
8 information. But the good news is the growth in  
9 cellular and pagers and fax are, I'm sure, one  
10 reason --

11 UNIDENTIFIED SPEAKER: (Simultaneous  
12 comment.)

13 CHAIRMAN CLARK: -- we need this, and I'm  
14 sure that makes your company very happy.

15 WITNESS EAGEN: That's very good. Thank  
16 you.

17 CHAIRMAN CLARK: Thank you. Is there anyone  
18 else who wants to comment at this time? (No  
19 response.)

20 If not, we will stand adjourned for 10  
21 minutes. We'll stay here until 7:00. If no one else  
22 shows up, we will adjourn for the evening.

23 (Brief recess.)

24 - - - - -

25 CHAIRMAN CLARK: We're going to go back on

1 the record and indicate that no one else has come in,  
2 so we are going to adjourn for the evening.

3 (Thereupon, the hearing concluded at 7:00  
4 p.m.)

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1 STATE OF FLORIDA)  
2 COUNTY OF LEON )

CERTIFICATE OF REPORTER

3 I, H. RUTHE POTAMI, CSR, RPR Official  
4 Commission Reporter,

5 DO HEREBY CERTIFY that the Panama City  
6 Service Hearing in Docket No. 961153-TL was heard by  
7 the Florida Public Service Commission at the time and  
8 place herein stated; it is further

9 CERTIFIED that I stenographically reported  
10 the said proceedings; that the same has been  
11 transcribed under my direct supervision; and that this  
12 transcript, consisting of 23 pages, constitutes a true  
13 transcription of my notes of said proceedings.

14 DATED this 6th day of November, 1996.

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