070738-TL AT&T Florida's "Amended" Joint Petition to Transfer Territories in Martin County and to A... Page 1 of 1

Ruth Nettles

From:

Woods, Vickie [vf1979@att.com]

Sent:

Monday, January 07, 2008 4:14 PM

To:

Filings@psc.state.fl.us

Subject:

070738-TL AT&T Florida's "Amended" Joint Petition to Transfer Territories in Martin County and to Amend

Certificates

Importance: High

Attachments: 070738_A.pdf

Vickie Woods

Legal Secretary to E. Earl Edenfield, Jr., Tracy W. Hatch,

and Manuel A. Gurdian,

BellSouth Telecommunications, Inc. d/b/a AT&T Florida

150 South Monroe Street

Suite 400

Tallahassee, Florida 32301

(305) 347-5560

vf1979@att.com

- Docket No: 070738-TL: Joint Petition of AT&T Florida and ITS Telecommunications B. Systems, Inc. to Transfer Territories in Martin County and to Amend Certificates
- BellSouth Telecommunications, Inc. d/b/a AT&T Florida C.

on behalf of Manuel A. Gurdian

- 17 pages total (includes letter, certificate of service, pleading and attachments) D.
- BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Amended Joint Petition to E. Transfer Territories in Martin County and to Amend Certificates

.pdf

<<070738_A.pdf>>

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DOCUMENT NUMBER - DATE

00160 JAN-78



AT&T Florida 150 South Monroe Street Suite 400 Tallahassee, FL 32301

T: (305) 347-5561 F: (305) 577-4491 manuel.gurdian@att.com

January 7, 2008

Ms. Ann Cole, Commission Clerk Office of the Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re: Docket No: 070738-TL

Joint Petition of AT&T Florida and ITS Telecommunications

Systems, Inc. to Transfer Territories in Martin County

and to Amend Certificates

Dear Ms. Cole:

Enclosed is BellSouth Telecommunications, Inc. d/b/a AT&T Florida and ITS Telecommunications, Inc.'s *Amended* Joint Petition to Transfer Territories in Martin County and to Amend Certificates, which we ask that you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Manuel A. Gurdian

cc: A

All parties of record Gregory Follensbee E. Earl Edenfield, Jr. Lisa S. Foshee

DOCUMENT NUMBER - DATE

00160 JAN-78

CERTIFICATE OF SERVICE Docket No. 070738-TL

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

Electronic Mail and First Class U. S. Mail this 7th day of January, 2008 to the following:

Charlene Poblete
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
cpoblete@psc.state.fl.us
npruitt@psc.state.fl.us

J. Jeffry Wahlen
Ausley & McMullen
P.O. Box 391
Tallahassee, FL 32302
Tel. No. (850) 425-5471
Fax. No. (850) 222-7560
jwahlen@ausley.com

Manuel A. Gurdian

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

| In re: Joint Petition of AT&T Florida |) | Docket No. 070738-TL |
|--|----|------------------------|
| and ITS Telecommunications Systems, Inc. |) | |
| to Transfer Territories in Martin County |) | |
| and to Amend Certificates | _) | Filed: January 7, 2008 |

AMENDED JOINT PETITION OF AT&T FLORIDA AND ITS TELECOMMUNICATIONS, INC. TO TRANSFER TERRITORIES IN MARTIN COUNTY AND TO AMEND CERTIFICATES

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") and ITS Telecommunications Systems, Inc. ("ITS") pursuant to Rules 25-4.005 and 28-106.201, Florida Administrative Code, jointly petition the Florida Public Service Commission ("Commission") to modify certain exchange boundaries in Martin County and to amend the companies' certificates accordingly. In support of this *Amended* Petition, AT&T Florida and ITS state as follows:

- 1. AT&T Florida is an incumbent local exchange company lawfully doing business in the State of Florida, the regulated operations of which are subject to the jurisdiction of the Commission pursuant to Chapter 364, Florida Statutes. AT&T Florida provides service in Florida under Commission Certificate of Public Convenience and Necessity No. 8.
- 2. ITS is an incumbent local exchange company lawfully doing business in the State of Florida, the regulated operations of which are subject to the jurisdiction of the Commission pursuant to Chapter 364, Florida Statutes. ITS provides service in Florida under Commission Certificate of Public Convenience and Necessity No. 30.
- 3. AT&T Florida's principal place of business in Florida is 675 W. Peachtree St., NE, Suite 4500, Atlanta, GA 30375.
 - 4. ITS' principal place of business in Florida is 15925 SW Warfield

DOCUMENT NUMBER - DATE

Boulevard, Indiantown, FL 34956.

5. Pleadings, orders, notices and other papers filed or served in this matter should be served upon:

J. Jeffry Wahlen Ausley & McMullen P.O. Box 391 Tallahassee, FL 32302 850.425.5471 (telephone) 850.222.7560(fax) jwahlen@ausley.com E. Earl Edenfield, Jr.
Tracy W. Hatch
Manuel A. Gurdian
c/o Gregory R. Follensbee
150 South Monroe Street, Ste. 400
Tallahassee, FL 32301
kip.edenfield@att.com
305.347.5558 (telephone)
850.222.8640 (fax)

Lisa S. Foshee
AT&T Southeast
675 West Peachtree Street,
Suite 4300
Atlanta, GA 30375
lisa.foshee@att.com
404.335.0750 (telephone)

- 6. AT&T Florida and ITS seek to amend the Stuart exchange boundaries in this Amended Petition. The boundary change is to transfer a portion of the Sunlight Ranch development ("development") from the ITS Indiantown Exchange to the AT&T Florida Stuart Exchange. The territory to be transferred consists of approximately six single family lots located in the Northwest corner of the development. No subscribers reside in the area to be transferred; therefore, no subscriber would be affected by modifying the Stuart exchange to include this portion of the development. A copy of a map showing the area to be transferred is attached as Exhibit "A."
- 7. The present boundary line bisects the planned subdivision and individual lots, rendering provision of service difficult. The proposed boundary change will better align the companies' exchange service areas, and will move the existing boundary to

more readily discernible terrain features. This application is sought to permit revisions to company boundaries so that they will not divide subdivisions and lots, thereby rendering the boundaries more usable in the provision and administration of service. Existing telephone service, local service rates, calling areas and calling plans will not be affected by these proposed changes since there are no existing customers in the area to be transferred. Once the transfer is complete, telephone service, local service rates, calling areas and calling plans in the transferred area will be governed by AT&T Florida's General Subscriber Services Tariff.

- 8. There are no pending applications for basic local service held by AT&T Florida or ITS related to the territory to be transferred.
- 9. AT&T Florida and ITS do not currently hold any deposits or deposit interest as there are no subscribers in the area to be transferred.
- 10. No financial exchange or consideration was, or shall be, given for this proposed transfer of certificated areas. This Joint Petition is the only written agreement between ITS and AT&T Florida regarding the transfer of certificated areas.
- 11. Both AT&T Florida and ITS have agreed that the requested transfer of service area is feasible from an economic standpoint and beneficial to the subscribers of both companies.
- 12. Pursuant to Rule 25-4.005, Florida Administrative Code, the required affidavit is attached to this Joint Petition as Exhibit "B". The affidavit certifies that notice of intention to file the Petition has been given to those parties set forth in the above cited rule.

13. Upon the Commission's approval of the modifications proposed herein, the companies' will file the final tariff sheets for administrative approval.

WHEREFORE, AT&T Florida and ITS request that this *Amended* Joint Petition be considered, that the Commission redefine the boundaries of the Petitioners' Certificates of Public Convenience and Necessity as requested in the *Amended* Petition, and the Commission enter an appropriate order to effect such a redefinition.

Respectfully submitted this 7th day of January, 2008.

J. Jeffry Wahlen

Ausley & McMullen

P.O. Box 391 Tallahassee, FL 32302

850.425.5471

850.222.7560(fax)

jwahlen@ausley.com

E. Earl Edenfield, Jr.

Tracy W. Hatch

Manuel A. Gurdian

c/o Gregory R. Follensbee

150 South Monroe Street, Ste. 400

Tallahassee, FL 32301

305.347.5558 (telephone)

850.222.8640 (fax)

kip.edenfield@att.com

Lisa S. Foshee

AT&T Southeast

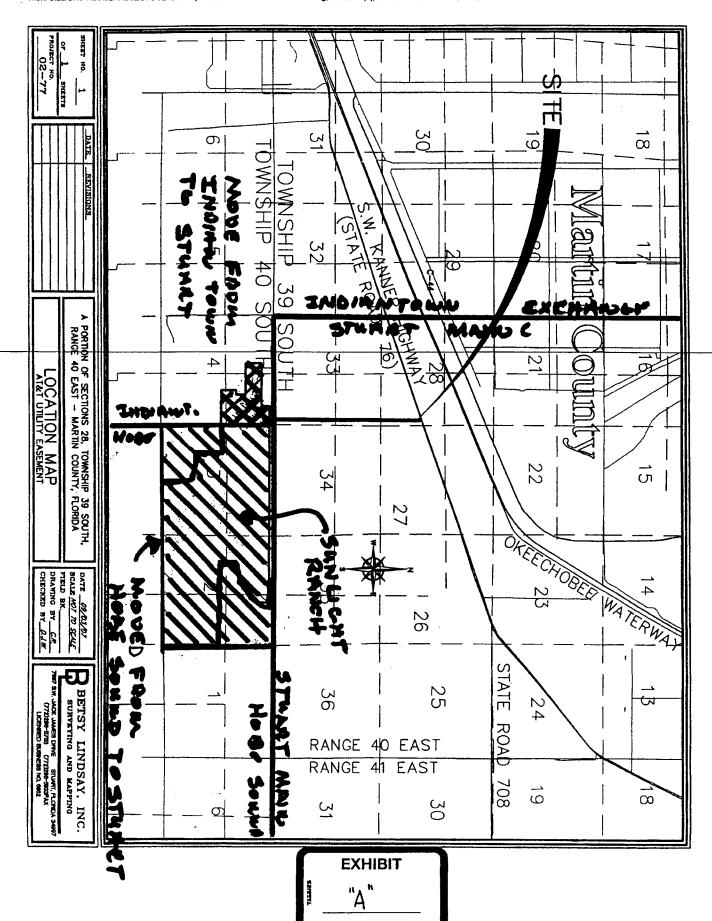
675 West Peachtree Street,

Suite 4300

Atlanta, GA 30375

404.335.0750 (telephone)

lisa.foshee@att.com



AFFIDAVIT

STATE OF FLORIDA COUNTY OF LEON

In re: Joint Petition of AT&T Florida and ITS Telecommunications Systems, Inc. to Transfer Territories in Martin County and to Amend Certificates.

BEFORE ME, the undersigned authority, personally appeared Stan Greer, who being duly sworn, deposes and says:

I am a Manager- Regulatory Affairs for AT&T Florida and have caused notice of the above-captioned petition to be provided as follows:

- 1. To the governing body of Martin County, Florida, i.e. the Board of County Commissioners;
- 2. To Charles J. Beck, Office of Public Counsel;
- 3. To Ann Cole, Director, Records and Reporting for the Florida Public Service Commission; and
- 4. Through two separate legal advertisements in a newspaper of general circulation in the area affected at least two weeks prior to the filing of this Joint Petition. See attached Exhibit "1".

These notices have been given pursuant to Section 364.335, Florida Statutes and Rule 25-4.005, Florida Administrative Code.

Under penalties of perjury, I declare that I have read the foregoing affidavit and the facts stated in it are true.

Stan Greer

The foregoing instrument was acknowledged before this 4th day of January, 2008, by Stan Greer, who is personally known to me.

Commission # DD 471221

Regulat By National Notary Assn.

Drinted Name

Printed Name



SCRIPPS TREASURE COAST NEWSPAPERS

The Stuart News
The Port St. Lucie News

1939 S. Federal Highway, Stuart, FL 34994

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF MARTIN; COUNTY OF ST. LUCIE

Before the undersigned authority personally appeared, S. Darlene Broeg, who on oath says that she is Classified Inside Sales Manager of the Stuart News and the Port St. Lucie News, a daily newspaper published at Stuart in Martin County, Florida: that the attached copy of advertisement was published in the Stuart/Port St. Lucie News in the following issues below. Affaint further says that the said Stuart/Port St. Lucie News is a newspaper published in Stuart in said Martin County, Florida, with offices and paid circulation in Martin County and St. Lucie County, Florida, and that said newspapers have heretofore been continuously published in said Martin County, Florida, daily end distributed in Martin and St. Lucie County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The Stuart News has been entered as Periodical Matter at the Post Offices in Stuart, Martin County, Florida and Ft. Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

| Customer | <u>Ad</u> Number | Pub Date | Copyline | <u>PO#</u> |
|----------|---------------------|-------------|---------------|----------------|
| 4T&T | 1755114 | 12/12/2007 | PUBLIC NOTICE | SUNLIGHT RANCH |
| ATRT | | 12/13/2007 | | |

PUBLIC NOTICE

Notice is hereby given of the intent of BellSouth Telecommunications, Inc. d/l/a AT&T Florida (AT&T Florida) and ITS Telecommunications Systems, Inc. (ITS) to jointly petition the Florida Public Service Commission to modify exchange boundaries as shown below:

Transferring a portion of the Sunlight Ranch development from the ITS Indiantown Exchange to the AT&T Florida Stuart Exchange.

The present boundary line between the companies' certificated areas bisects the planned subdivisions and individual lots in the development. The boundary change will better align the companies' exchange service areas; thereby rendering the boundary more usable in the provision of service. The telephone service, local service rates, calling areas and calling plans for existing customers will not be affected by these proposed changes.

> AT&T Florida (850) 577-5552

ITS Telecommunications Systems, Inc. (772) 597-2104

Pub: December 12, 13, 2007

1755114

Subscribed and sworn to me before this date:

December 13, 2007

Notary Public

MARY T. BYRME

Notary Public - State of Florida

Any Commission Expires Aug 2, 2010

Commission # DD 544327

Bonded By National Notary Assn.

S. Darline Bring

EXHIBIT



AT&T Florida 150 South Monroe Street Suite 400 Taliahassee, FL 32301

T: (305) 347-5561 F: (305) 577-4491 manuel.gurdian@att.com

December 10, 2007

Via Federal Express

Ms. Beth Salak, Director
Division of Competitive Markets and Enforcement
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Dear Ms. Salak:

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") and ITS Telecommunications Systems, Inc. ("ITS") intend to file a joint petition with the Florida Public Service Commission to request a transfer of certain territories in Martin County from the certificated area of ITS to AT&T Florida. The present boundary line between the companies' certificated areas bisects the planned subdivision and individual lots in the Sunlight Ranch development. The proposed boundary change will involve transferring a portion of the Sunlight Ranch development from the ITS Indiantown Exchange to the AT&T Florida Stuart Exchange and will better align the companies' exchange service areas; thereby rendering the boundary more usable in the provision of service.

There are no customers currently being served in the area to be transferred.

This notification is to fulfill the requirements of Florida Public Service Commission Rule 25-4.005, Transfer of Certificate of Public Convenience and Necessity as to All or Portion of Service Area.

Sincerely.

Manuel A Gurdiar

CC:

Jeffry Wahlen Jerry Hendrix E. Earl Edenfield, Jr.

Ann Cole, Director-Records and Reporting, FPSC

Woods, Vickie

From: TrackingUpdates@fedex.com

Sent: Tuesday, December 11, 2007 9:11 AM

To: Woods, Vickie

Subject: FedEx Shipment 791812969420 Delivered

This tracking update has been requested by:

Company Name:

AT&T Florida
VICKIE WOODS

Name: E-mail:

vf1979@att.com

Our records indicate that the following shipment has been delivered:

Reference:

LOF00000

Ship (P/U) date:

Dec 10, 2007

Delivery date:

Dec 11, 2007 9:06 AM

Sign for by:

W.SPENCER

Delivered to: Service type: Receptionist/Front Desk FedEx Standard Overnight

Packaging type:

FedEx Envelope

Number of pieces:

1

Weight:

0.50 lb.

Special handling/Services:

Deliver Weekday

Tracking number:

791812969420

Shipper Information

Recipient Information

VICKIE WOODS

Beth Salak

AT&T Florida

2540 SHUMARD OAK BLVD; FLORIDA

150 WEST FLAGLER STREET; SUITE 1910

PUBLIC SERVICE COMMISSION

MIAMI

TALLAHASSEE

FL

FL

US

US

33130

323997019

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 8:10 AM CST on 12/11/2007.

To learn more about FedEx Express, please visit our website at fedex.com.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at $\underline{\text{fedex.com}}$.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the



AT&T Florida 150 South Monroe Street Sulte 400 Tallahassee, FL 32301

T: (305) 347-5561 F: (305) 577-4491 manuel.gurdian@att.com

December 10, 2007

Via Federal Express

Charles J. Beck, Public Counsel
Office of the Public Counsel
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400

Dear Mr. Beck:

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") and ITS Telecommunications Systems, Inc. ("ITS") intend to file a joint petition with the Florida Public Service Commission to request a transfer of certain territories in Martin County from the certificated area of ITS to AT&T Florida. The present boundary line between the companies' certificated areas bisects the planned subdivision and individual lots in the Sunlight Ranch development. The proposed boundary change will involve transferring a portion of the Sunlight Ranch development from the ITS Indiantown Exchange to the AT&T Florida Stuart Exchange and will better align the companies' exchange service areas; thereby rendering the boundary more usable in the provision of service.

There are no customers currently being served in the area to be transferred.

This notification is to fulfill the requirements of Florida Public Service Commission Rule 25-4.005, Transfer of Certificate of Public Convenience and Necessity as to All or Portion of Service Area.

Sincerely,

Manuel A. Gurdian

cc: Jeffry Wahlen Jerry Hendrix E. Earl Edenfield, Jr. الأراب والمرابع والمعالم والمعالم والمعارف والمرابع المرابع المرابع المرابع والمعالم والمرابع والمعالم والمرابع والمرابع

Woods, Vickie

From: TrackingUpdates@fedex.com

Sent: Tuesday, December 11, 2007 1:29 PM

To: Woods, Vickie

Subject: FedEx Shipment 791451640955 Delivered

This tracking update has been requested by:

Company Name:

AT&T Florida VICKIE WOODS

Name: E-mail:

vf1979@att.com

Our records indicate that the following shipment has been delivered:

Reference:

LOFGOOOG

Ship (P/U) date:

Dec 10, 2007

Delivery date:

Dec 11, 2007 1:21 PM

Sign for by:

P.DAVIS

Delivered to: Service type: Receptionist/Front Desk FedEx Standard Overnight

Packaging type:

FedEx Envelope

Number of pieces:

1

Weight:

0.50 lb.

Special handling/Services:

Deliver Weekday

Tracking number:

791451640955

Shipper Information

Recipient Information

VICKIE WOODS

Charles J. Beck

AT&T Florida

Office of Public Counsel

150 WEST FLAGLER STREET; SUITE 1910

111 West Madison Street; Suite

IMAIM

812

FL

Tallahassee

US

FL US

33130

323991400

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All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the



AT&T Florida 150 South Monroe Street Suite 400 Tallahassee, FL 32301

T: (305) 347-5561 F: (305) 577-4491 manuel.gurdian@att.com

December 10, 2007

Via Federal Express

Michael DiTerlizzi, Chairman Board of County Commissioners Martin County, Florida 2401 SE Monterey RD Stuart. FL 34996

Dear Mr. DiTerlizzi:

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") and ITS Telecommunications Systems, Inc. ("ITS") intend to file a joint petition with the Florida Public Service Commission to request a transfer of certain territories in Martin County from the certificated area of ITS to AT&T Florida. The present boundary line between the companies' certificated areas bisects the planned subdivision and individual lots in the Sunlight Ranch development. The proposed boundary change will involve transferring a portion of the Sunlight Ranch development from the ITS Indiantown Exchange to the AT&T Florida Stuart Exchange and will better align the companies' exchange service areas; thereby rendering the boundary more usable in the provision of service.

There are no customers currently being served in the area to be transferred.

This notification is to fulfill the requirements of Florida Public Service Commission Rule 25-4.005, Transfer of Certificate of Public Convenience and Necessity as to All or Portion of Service Area.

Maguel A Gurdian

Jeffry Wahlen Jerry Hendrix

E. Earl Edenfield, Jr.

CC:

Woods, Vickie

From: TrackingUpdates@fedex.com

Sent: Tuesday, December 11, 2007 11:12 AM

To: Woods, Vickie

Subject: FedEx Shipment 791812983490 Delivered

This tracking update has been requested by:

Company Name:

AT&T Florida

Name:

VICKIE WOODS

E-mail:

vf1979@att.com

Our records indicate that the following shipment has been delivered:

Reference:

L0F00000

Ship (P/U) date:

Dec 10, 2007

Delivery date:

Dec 11, 2007 11:06 AM

Sign for by:

S.AELL

Delivered to: Service type: Receptionist/Front Desk FedEx Standard Overnight

Packaging type:

FedEx Envelope

Number of pieces:

1

Weight:

0.50 lb.

Special handling/Services:

Deliver Weekday

Tracking number:

791812983490

Shipper Information

Recipient Information

VICKIE WOODS

Michael DiTerlizzi, Chairman

AT&T Florida

2401 SE MONTEREY RD; BD OF CTY

Alei Fioriua

COMMISSIONERS MARTIN CTY.

150 WEST FLAGLER STREET; SUITE 1910

STUART

MIAMI FL

FL

US

US

33130

349963322

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 10:11 AM CST on 12/11/2007.

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All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the



AT&T Florida 150 South Monroe Street Suite 400 Tallahassee, FL 32301

T: (305) 347-5561 F: (305) 577-4491 manuel.gurdian@att.com

December 10, 2007

Via Federal Express

Ms. Beth Salak, Director
Division of Competitive Markets and Enforcement
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Dear Ms. Salak:

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Sincerely,

lanvel A Gurdian

cc:

Jeffry Wahlen Jerry Hendrix E. Earl Edenfield, Jr.

Ann Cole, Director-Records and Reporting, FPSC

Woods, Vickie

From:

Filings@psc.state.fl.us

Sent:

Monday, December 10, 2007 11:16 AM

To:

Woods, Vickie

Subject: PSC electronic filing

FILE COPY

Your electronic filing has been received by the Florida Public Service Commission, Office of Commission Clerk.

The filing date for an electronically transmitted document is the date that the Office of Commission Clerk receives the complete document. If the document is received on a non-business day, or after 5:00 p.m. (EST) on a business day, it will be considered filed as of 8:00 a.m. on the following business day.

E-filings are accepted in accordance with the Commission's Electronic Filing Requirements, which can be accessed on the Commission's Web Site at http://www.floridapsc.com/dockets/efilings/index/aspx or by contacting the Office of Commission Clerk at (850) 413-6770 during normal business hours. By electing to file electronically, you agree to abide by and accept the electronic filing requirements posted on the PSC's Web site.

Questions should be directed to the Office of Commission Clerk, Clerk@psc.state.fl.us, or call (850) 413-6770.