

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to resolve dispute)	DOCKET NO. 910074-TL
concerning proposed charges by)	
SOUTHERN BELL TELEPHONE AND TELEGRAPH)	ORDER NO. 25320
COMPANY to ALLTEL FLORIDA, INC.,)	
INDIANTOWN TELEPHONE SYSTEM, INC.,)	ISSUED: 11/12/91
NORTHEAST FLORIDA TELEPHONE COMPANY,)	
INC. and SOUTHLAND TELEPHONE COMPANY)	
for operator assisted services)	
)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 SUSAN F. CLARK
 J. TERRY DEASON
 BETTY EASLEY
 MICHAEL MCK. WILSON

ORDER ACKNOWLEDGING WITHDRAWAL OF PETITION

BY THE COMMISSION:

This Docket was initiated to address the Petition to Review Contracts and Resolve Dispute and Petition to Maintain Status Quo Pending Resolution of Dispute (the Petition) filed by ALLTEL Florida, Inc. (ALLTEL); Indiantown Telephone System, Inc. (Indiantown); Northeast Florida Telephone Company (Northeast); and Southland Telephone Company (Southland). None of these small local exchange companies (LECs) provides its own operator services. These services are provided by Southern Bell Telephone and Telegraph Company on behalf of the small LECs pursuant to contract.

In the fall of 1986, the LECs (except for Northeast) agreed to accept company specific billing on an operator work second (OWS) basis for local and toll operator services when accurate data became available through the ability to technically measure the traffic. Until that time, Southern Bell charged each LEC a flat rate per access line for the provision of operator services. In late December, 1990, Southern Bell notified the small LECs that it would begin charging for operator services on an OWS basis by January 1, 1991. The financial impact on the small LECs of paying for operator services on an OWS basis is substantial.

DOCUMENT NUMBER-DATE

11197 NOV 12 1991

FPSC-RECORDS/REPORTING

ORDER NO. 25320
DOCKET NO. 910074-TL
PAGE 2

On February 13, 1991, Southern Bell filed Southern Bell Telephone and Telegraph Company's Response and Motion To Dismiss The Petition to Review Contracts and Resolve Disputes and To Maintain Status Quo Pending Resolution of Dispute (the Motion).

On June 11, 1991, ALLTEL, Northeast and Southland filed a Withdrawal As Party. On September 25, 1991, Indiantown also filed a Withdrawal As Party. The withdrawals are based on the respective compromise agreements reached between these LECs and Southern Bell to phase-in the OWS rates. ALLTEL will begin full payment on January 1, 1992. Northeast and Southland will begin full payment on January 1, 1994. Indiantown will begin full payment on January 1, 1997.

Since each of the parties to the Petition have reached an agreement with Southern Bell regarding the provision of operator services, the underlying basis of the Petition has been eliminated. Therefore, we find it appropriate to acknowledge the withdrawals and dismiss the Petition. Since the Withdrawals have obviated the Petition, the Motion becomes moot. Accordingly, Southern Bell's Motion is dismissed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Petition to Review Contracts and Resolve Dispute and Petition to Maintain Status Quo Pending Resolution of Dispute filed by ALLTEL Florida, Inc.; Indiantown Telephone System, Inc.; Northeast Florida Telephone Company; and Southland Telephone Company is dismissed for the reasons set forth in the body of this Order. It is further

ORDERED that Southern Bell Telephone and Telegraph Company's Response and Motion To Dismiss The Petition to Review Contracts and Resolve Disputes and To Maintain Status Quo Pending Resolution of Dispute is dismissed for the reasons set forth in the body of this Order. It is further

ORDERED that this docket be closed.

ORDER NO. 25320
DOCKET NO. 910074-TL
PAGE 3

By ORDER of the Florida Public Service Commission, this 12th
day of NOVEMBER, 1991.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

by: Kay Flynn
Chief, Bureau of Records

TH

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 Appellate Procedure. The

ORDER NO. 25320
DOCKET NO. 910074-TL
PAGE 4

notice of appeal must be in the form specified in Rule 9.900 (a),
Florida Rules of Appellate Procedure.