

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for waiver of) DOCKET NO. 960289-TL
Rule 25-4.0175(8)(a), F.A.C.,) ORDER NO. PSC-96-0490-FOF-TL
relating to depreciation) ISSUED: April 8, 1996
studies, by Frontier)
Communications of the South,)
Inc.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TEPRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER GRANTING, IN PART, AND DENYING,
IN PART, REQUEST FOR WAIVER OF RULE 25-
4.0175(8)(A), FLORIDA ADMINISTRATIVE CODE

BY THE COMMISSION:

Frontier Communications of the South, Inc., f/k/a Southland Telephone Company (Frontier) last filed a depreciation study on August 7, 1992. The resulting depreciation rates became effective January 1, 1993. Under Rule 25-4.0175(8)(a), Florida Administrative Code, Frontier was required to file a new depreciation study on or before August 7, 1995. On March 29, 1995, Frontier requested an extension of the filing date. By Order PSC-95-1104-FOF-TL, issued September 6, 1995, we granted Frontier's request and gave it until December 31, 1995, to submit its study.

By letter dated February 23, 1996, Frontier advised this Commission that it needed a second extension of time, or until June 30, 1996, to file its study. According to Frontier, it is "exploring the possibility of electing price regulation under the new telecommunications law." For companies electing price regulation, there is no earnings oversight. Accordingly, the issue of Frontier's depreciation study would become moot.

Additionally, under Section 364.052(2)(a), Florida Statutes, this Commission is required to establish, by July 1, 1996, ranges of basic factors for lives and salvage values to be used in developing depreciation rates for small local exchange companies (LECs) subject to rate base regulation. Small LECs would then have

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the option of using these basic factors within the established ranges or filing depreciation studies. If we grant Frontier's request for waiver, it will be permitted to use the new streamlined procedure.

Since June 30, 1996, falls on a Sunday, we believe that Frontier's request for an extension until June 30, 1996, should be denied. However, June 28, 1996, falls within the first six months of Frontier's fiscal year. Thus, if Frontier files its study by Friday, June 28, 1996, that would allow for an implementation date of January 1, 1996, under the normal course of events and pursuant to Rule 25-4.0175(8)(b), Florida Administrative Code. Accordingly, Frontier is hereby granted an extension of time, until June 28, 1996, to file its depreciation study.

It is, therefore,

ORDERED by the Florida Public Service Commission that Frontier Communications of the South, Inc.'s request for an extension of time, until June 30, 1996, to file its triennial depreciation study, as required under Rule 25-4.0175(8)(b), Florida Administrative Code, is denied. It is further

ORDERED that Frontier Communications of the South, Inc., shall have until June 28, 1996, to file its triennial depreciation study, as required under Rule 25-4.0175(8)(b), Florida Administrative Code. It is further

ORDERED that this docket is closed.

By ORDER of the Florida Public Service Commission, this 8th day of April, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

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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.

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/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 after the issuance 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.