

REGULATIONS OF CONNECTICUT STATE AGENCIES

Department of Energy and Environmental Protection

Public Utilities Regulatory Authority

THIS COMPILATION WAS PREPARED BY THE STATE OF
CONNECTICUT, PUBLIC UTILITIES REGULATORY AUTHORITY.
IT IS NOT AN OFFICIAL VERSION OF THE REGULATIONS OF CONNECTICUT
STATE AGENCIES AND SHOULD NOT BE RELIED UPON AS SUCH.

FOR AN OFFICIAL VERSION, PLEASE CONTACT
THE COMMISSION ON OFFICIAL LEGAL PUBLICATIONS OR
THE OFFICE OF THE SECRETARY OF THE STATE.

Special components	16-1-80
Special components in eminent domain.	16-1-81
Special components in gas sales.	16-1-82
Components for appeals to commission.	16-1-83

Part 10

**Petitions and Applications, Community Antenna
Television System**

General rule	16-1-84
Application for granting of certificate.	16-1-85
Special components	16-1-86
Application to transfer certificate. Special components.	16-1-87

Part 11

Petitions and Applications, Motor Carriers

General rule	16-1-88
Forms of application	16-1-89
Motor truck carriers	16-1-90
Intrastate motor bus	16-1-91
Taxicab	16-1-92
Livery.	16-1-93
Transfer, motor truck.	16-1-94
Transfer, motor bus	16-1-95
Transfer, taxicab	16-1-96
Transfer, livery	16-1-97
Special components, police record, and agent for service of process	16-1-98
Special components, rate applications.	16-1-99
Special requirements, rate applications	16-1-100
More than one department.	16-1-101

ARTICLE 4

MISCELLANEOUS PROCEEDINGS

Part 1

**Petitions: Presentation of Complaints and Other Requests for Action
by the Commissioners and for Adoption of Regulations**

General rule	16-1-102
Form of petition	16-1-103
Special components	16-1-104
Hearing	16-1-105

Part 2

**Enforcement of Statutes, Regulations and
Orders of Commissioners**

General rule	16-1-106
Procedure in response to violation.	16-1-107
Order commencing investigation of violation.	16-1-108
Hearing	16-1-109

Part 3

Petitions Concerning Adoption of Regulations

General rule	16-1-110
Form of petitions.	16-1-111
Procedure after petition filed	16-1-112

Part 4

Requests for Advisory Rulings

General rule	16-1-113
Form of petition for advisory ruling.	16-1-114
Procedure after petition filed	16-1-115

Part 5

Miscellaneous Provisions

Commission investigations.	16-1-116
Procedure.	16-1-117

Part 6

Extended Local Calling Telephone Service

General rule	16-1-118
Definitions	16-1-119
Petitions.	16-1-120
Telephone company studies	16-1-121
Contiguous exchange extended local calling	16-1-122
Non-contiguous exchange extended local calling.	16-1-123
Subscriber votes	16-1-124
Telephone company modernization	16-1-125
One-way extended local calling routes	16-1-126
Revenue requirement changes	16-1-127

Area Transfers

Definitions	16-1-128
Petitions.	16-1-129
Telephone company studies	16-1-130
Hearing	16-1-131
Subscriber votes	16-1-132
Telephone company modernization	16-1-133

(c) Schedule of existing rates and of actual revenues by class for the test year and pro forma at the present and at the proposed rates.

(d) Statement of the proposed increases or changes which will result in increases that applicant requests authority to make effective, setting forth the applicant's proposed rate structure for all classifications of service, where applicable.

(Effective December 21, 1971)

Sec. 16-1-100. Special requirements, rate applications

In each rate application where the gross income of the applicant does not exceed \$50,000 per year for service as a motor carrier of property for hire, bus operator, taxicab operator, livery service operator, or ambulance operator, the applicant shall prepare such application by following the requirements of part 1 of this article, where applicable, and shall add the following data, either in the statement of application or as exhibits annexed thereto and accompanying the application:

(a) List of vehicles, equipment and garage facilities, giving current value of each item thereof.

(b) Schedule of the rates the applicant is presently charging for its services.

(c) The schedule of rates the applicant proposes to charge for the same service.

(d) Calculation of applicant's revenues at both the current and the proposed rates based on the number of customers and volume of business it carried on during the test year.

(e) Income statement showing the actual results of the applicant's operations under the current rates.

(f) Income statement showing the estimated results of the applicant's operations based on the proposed rates, using changed costs of operation adjusted to account for estimates based on known changes that will take effect during the projected period.

(Effective December 21, 1971)

Sec. 16-1-101. More than one department

Where a motor carrier for hire has more than one department and offers more than one type of service, its rate application shall be prepared in accordance with Section 16-1-57 hereof.

(Effective December 21, 1971)

ARTICLE 4

MISCELLANEOUS PROCEEDINGS

Part 1

**Petitions: Presentation of Complaints and Other
Requests for Action by the Commissioners and
for Adoption of Regulations**

Sec. 16-1-102. General rule

These rules set forth the procedure to be followed by persons asserting any complaint to the commission under title 16 of the general statutes including but not limited to the provisions of sections 16-12, 16-13, 16-14, 16-20, 16-21, 16-273, 16-274, 16-296, 16-304, 16-309, 16-319, 16-325. In addition, these rules shall set forth the procedure to be followed by any person desiring to bring to the commission any petition whatsoever with respect to the rates, service operation, equipment and

plant; the convenience, protection and safety of the persons served by any public service company; and the public safety.

(Effective December 21, 1971)

Sec. 16-1-103. Form of petition

Any such petition or statement of complaint shall conform to the rules stated in part I of article 3, where applicable, setting forth a plain and concise statement of the material facts on which the petitioner or complainant relies. Such statement of facts should be divided into paragraphs numbered consecutively, each containing as nearly as may be a separate allegation. Where applicable, the petitioner or complainant may set forth acts, events, documents, and other occurrences according to their claimed legal effect. But in so doing the petition or statement of complaint should be such as fairly to apprise the commission and the public service company of the state of facts on which it is intended the commissioners shall act.

(Effective December 21, 1971)

Sec. 16-1-104. Special components

The petitioner or complainant may annex such exhibits, illustrations, written testimony, and other evidence, as well as any brief of law and fact that the petitioner deems necessary or desirable to support the petition or statement of complaint. Insofar as man be practical, however, each petition or statement of complaint and the exhibits and other evidence annexed thereto shall be sufficiently complete when filed to present the entire case of the petitioners or complainant, subject only to cross examination by the other parties and by the commission at the time of hearing.

(Effective December 21, 1971)

Sec. 16-1-105. Hearing

An investigation shall be conducted by the commission and duly noticed hearings shall be held as ordered by the commissioners. The proceedings and disposition of the petition or statement shall follow the rules of practice and procedure hereinabove set forth in article 2 for all other forms of proceedings before the commission.

(Effective December 21, 1971)

Part 2

Enforcement of Statutes, Regulations and Orders of Commissioners

Sec. 16-1-106. General rule

These rules set forth the procedure to be followed by the commission in the enforcement of statutes, regulations, and orders concerning public service companies under the authority of law.

(Effective December 21, 1971)

Sec. 16-1-107. Procedure in response to violation

At such time as facts known to the commission shall indicate that any public service company or any other person within the authority delegated by law has violated or is violating any statute in title 16 of the general statutes, or any regulation or order of the commissioners, then the commissioners may order an investigation of such facts. The purpose of said investigation shall be to determine whether or not such violation has, in fact, occurred. In the event the commissioners find that such a violation has occurred, they shall make such order and take such remedial action as is authorized by law in the case of such violation.

(Effective December 21, 1971)

Sec. 16-1-108. Order commencing investigation of violation

The commission shall set a time and place for a hearing concerning the investigation of the violation. It shall give the accused public service company and all other interested persons notice of the hearing in the form and manner hereinabove provided for all other hearings. Such notice shall be sent to the accused public service company with a plain and concise statement of the material facts known to the commission that have led to the conclusion that the information known to the commission indicates the apparent violation of such statute, regulation or order of the commissioners. Where applicable, a bill of particulars will be provided pursuant to the procedure set forth in Section 16-1-26.

(Effective December 21, 1971)

Sec. 16-1-109. Hearing

The proceedings and disposition of the evidence elicited in the investigation and hearing concerning such violation shall follow the rules of practice and procedure hereinabove set forth in article 2 for all other forms of proceedings before the commission.

(Effective December 21, 1971)

Part 3

Petitions Concerning Adoption of Regulations

Sec. 16-1-110. General rule

These rules set forth the procedure to be followed by the commissioners in the disposition of petitions concerning the promulgation, amendment, or repeal of a regulation.

(Effective December 21, 1971)

Sec. 16-1-111. Form of petitions

Any interested person may at any time petition the commissioners to promulgate, amend, or repeal any regulation. The petition shall conform to the rules stated in part 1 of article 3, where applicable, and shall set forth clearly and concisely the text of the proposed regulation, amendment, or repeal. Such petition shall also state the facts and arguments that favor the action it proposes by including such data, facts, and arguments either in the petition or in a brief annexed thereto. The petition shall be addressed to the commission and sent to the executive secretary by mail or delivered in person during normal business hours. The petition shall be signed by the petitioner and shall furnish the address of the petitioner and the name and address of petitioner's attorney, if applicable.

(Effective December 21, 1971)

Sec. 16-1-112. Procedure after petition filed

(a) Decision on petition. Upon receipt of the petition the commissioners shall within thirty (30) days determine whether to deny the petition or to initiate regulation making proceedings in accordance with law.

(b) Procedure on denial. If the commissioners deny the petition, the commission shall give the petitioner notice in writing, stating the reasons for the denial based upon the data, facts, and arguments submitted with the petition by the petitioner and upon such additional data, facts and arguments as the commissioners shall deem appropriate.

(Effective December 21, 1971)

Part 4

Requests for Advisory Rulings

Sec. 16-1-113. General rule

These rules set forth the procedure to be followed by the commissioners in the disposition of requests for declaratory rulings as to the applicability of any statutory provision or of any regulation or order of the commissioners. Such a ruling of the commissioners disposing of a petition for a declaratory ruling shall have the same status as any decision or order of the commissioners in a contested case.

(Effective December 21, 1971)

Sec. 16-1-114. Form of petition for advisory ruling

Any interested person may at any time request an advisory ruling of the commissioners with respect to the applicability to such person of any statute, regulation or order enforced, administered, or promulgated by the commissioners. Such request shall be addressed to the commission and sent to the executive secretary by mail or delivered in person during normal business hours. The request shall be signed by the person in whose behalf the inquiry is made. It shall give the address of the person inquiring and the name and address of such person's attorney, if applicable. The request shall state clearly and concisely the substance and nature of the request; it shall identify the statute, regulation or order concerning which the inquiry is made and shall identify the particular aspect thereof to which the inquiry is directed. The request for an advisory ruling shall be accompanied by a statement of any supporting data, facts and arguments that support the position of the person making the inquiry. Where applicable part 1 of article 3 governs the form and contents of the petition for advisory ruling.

(Effective December 21, 1971)

Sec. 16-1-115. Procedure after petition filed

(a) Notice to other persons. The commission may give notice to any person that such an advisory ruling has been requested and may receive and consider data, facts, arguments and opinions from persons other than the person requesting the ruling.

(b) Provision for hearing. If the commissioners deem a hearing necessary or helpful in determining any issue concerning the request for advisory ruling, the commission shall schedule such hearing and give such notice thereof as shall be appropriate. The provisions of article 2 govern the practice and procedure of the commission in any hearing concerning an advisory ruling.

(c) Decision on petition, ruling denied. If the commissioners determine that an advisory ruling will not be rendered, the commission shall within ten (10) days thereafter notify the person so inquiring that the request has been denied and furnish a statement of the reasons on which the commissioners relied in so deciding.

(d) Decision on petition, ruling granted. If the commissioners render an advisory ruling, a copy of the ruling shall be sent to the person requesting it and to that person's attorney, if applicable, and to any other person who has filed a written request for a copy with the executive secretary.

(Effective December 21, 1971)

Part 5

Miscellaneous Provisions

Sec. 16-1-116. Commission investigations

The commission may at any time institute investigations at the direction of the commissioners. Orders instituting the investigation shall indicate the nature of the

matters to be investigated and will be served upon any person being investigated. Upon direction by the commissioners said person shall file with the commission such data, facts, arguments and statement of position as shall be necessary to respond to the inquiry of the commission.

(Effective December 21, 1971)

Sec. 16-1-117. Procedure

The rules of practice and procedure set forth in article 2 govern any hearing held for the purpose of such an investigation.

(Effective December 21, 1971)

Part 6

Extended Local Calling Telephone Service

Sec. 16-1-118. General rule

These rules shall apply to all petitions received by the Public Utilities Control Authority for the extension of local telephone service in the State of Connecticut and shall govern the disposition of such petitions by the Authority under the standards set forth herein.

(Effective April 19, 1979)

Sec. 16-1-119. Definitions

As used in these rules concerning local calling.

(1) "Customer" or "Subscriber" means any person or entity which has contracted with a telephone company for residential or business exchange telephone service and shall include any such persons or entities that would normally be served from the exchange requesting extended local calling but have foreign exchange service properly provided from the exchange to which toll free calling is requested.

(2) "Contiguous Exchange" means an exchange that adjoins or comes in physical contact with the boundaries of another exchange at any point.

(3) "Exchange" means a telephone service area with geographic boundaries or company designated administrative boundaries within which all customers have access to an identical list of central office codes which constitute the first three digits of telephone numbers they can call without paying a toll charge.

(4) "Extended Local Calling (ELC)" means a local exchange service that allows the telephone user to dial to a telephone which is located in an exchange other than the one from which the customer is served without incurring a toll charge. Such service shall be deemed "two-way" if extended local calling service is available to both exchanges in which an ELC route terminates, and "way" where a call on such a route, in either direction, requires the payment of a toll charge.

(5) "Main Station" means each exchange access line, or the equivalent as defined in the telephone company tariff, connected to a central office serving the exchange in question. Connection at the central office to switching equipment permits communication with other main stations.

(6) "Non-Contiguous Exchanges" means that the exchange boundaries of two exchanges do not adjoin or come in contact with each other at any point.

(7) "Petition" means a request for extended local calling which meets the requirements of section 16-1-120 and is in compliance with the provisions governing petitions to the Authority in general, Section 16-1-10 through 16-1-15 and Sections 16-1-45 to 16-1-52.

(8) "Public Utilities Control Authority," "PUCA" or "the Authority" means the Connecticut Public Utilities Control Authority.

(9) "Telephone Company" means any public service company providing exchange telephone service within the state of Connecticut.

(10) "Split Town" means a Town served by two or more exchanges, between any two of which a toll charge applies when such toll charge is not the result of a customer choosing to be served from an exchange other than the one designated to serve that area.

(Effective February 24, 1982)

Sec. 16-1-120. Petitions

A petition to receive extended local calling shall, in order to be considered by the Authority, be signed by five percent (5%) of the subscribers in the telephone exchange in which the petition originates. The form of the petition shall state the name and telephone number of each person signing the petition, the name of the exchange in which the petition originated and the name of the exchange to which extended local calling is sought, whether the exchanges are contiguous to each other, the number of main stations in each exchange, and the name of each exchange to which the petitioning exchange either has existing extended local calling or has been granted extended local calling under these rules. The telephone company which serves the petitioning exchange shall provide this information on a suitable petition form to subscribers desiring to circulate a petition.

(Effective April 19, 1979)

Sec. 16-1-121. Telephone company studies

When a petition is filed with the Authority under Section 16-1-120, the telephone company serving the exchange shall be notified and thereafter the telephone company shall conduct a study to determine the effect, if any, of the provision of the extended local calling on the local exchange service rates then in effect, due to reclassification of one or both exchanges in volved to a higher local service rate class. The telephone company shall also determine the overall effect on its revenue requirements and shall state separately the amount of annual toll revenues that would be lost by conversion to ELC, together with a complete cost study showing itemized capital costs and recurring costs. The telephone company shall determine the current average number of toll messages per month per subscriber between the exchanges involved. Upon the conclusion of such study or studies the telephone company shall file the information with the Authority.

(Effective April 19, 1979)

Sec. 16-1-122. Contiguous exchange extended local calling

The Authority shall hold a hearing on all petitions for the provision of extended local calling between contiguous exchanges to determine if the following requirements are satisfied:

(1) That the petition in all respects satisfies the criteria set forth in Section 16-1-120;

(2) That the toll messages on the route requested average greater than or equal to four (4) calls per customer per month from the petitioning exchange over a six month period;

(3) That a previous petition has not been rejected nor a subscriber vote conducted in the 18-month period prior to the petition.

Provided, however, that if a petition for a contiguous route encompasses two or more exchanges serving the same regional school district and said petition is sponsored by the superintendent for that district or the chief administrative officer for any town served by said district, or encompasses two or more exchanges in a split town; or is from an exchange in the lowest exchange classification; the requirement that the number of toll calls per customer per month exceed any given level need not be met.

(Effective June 12, 1980)

Sec. 16-1-123. Noncontiguous exchange extended local calling

The Authority shall hold a hearing on all petitions for the provision of extended local calling between non-contiguous exchanges to determine if the following requirements are met:

(1) That criteria set forth in Section 16-1-122 (1) and (3), relating to contiguous exchanges is fully satisfied: and

(2) That the toll messages on the non-contiguous route requested average greater than or equal to ten (10) calls per customer per month from the petitioning exchange over a six month period; or

(3) A petition from an exchange in the lowest exchange classification has been signed by at least 15 percent of the subscribers in that exchange. Only one such petition is required to meet the requirements of Section 16-1-120 and this section.

Provided, however, that if a petition for a non-contiguous route encompasses two or more exchanges serving the same regional school district and the petition received by the Authority is sponsored by the superintendent for that district or the chief administrative officer of any town served by said district, or is from an exchange in the lowest exchange classification; the requirement that the number of toll calls per customer per month exceed any given level need not be met.

(Effective April 23, 1984)

Sec. 16-1-124. Subscriber votes

In all cases where a petition for extended local calling otherwise conforms to these rules and either exchange would be subject to reclassification to a higher rate group for local service rates, subsequent to a hearing the Authority shall direct the Company to conduct a survey of all subscribers in any exchange subject to reclassification. The survey ballot and accompanying letter explaining the reason for the survey shall be submitted by the serving telephone company to the Authority and, unless otherwise directed by the Authority within 10 days, the company shall deem them approved for mailing. The vote of subscribers shall be taken during the next 60 days. Each separately billed subscriber is entitled to only one vote. Responses to such a vote shall be submitted to the telephone company no later than 30 days after the expiration of the 60 day voting period for counting under the direction of the Authority. The ballots for such votes shall clearly and plainly state:

(1) The increase in local service rates to which subscribers would be subject because of any rate group reclassification, under the currently effective tariff.

(2) The telephone exchanges, towns and three digit telephone number prefixes which would become accessible to the exchanges if extended local calling were approved.

Extended local calling shall be approved and ordered if after a hearing the Authority finds that more than 50 percent of the responding subscribers in each exchange required to be surveyed vote in favor of the additional extended local calling route and at least 50 percent of all subscribers in each exchange required

to be surveyed respond to the survey; provided only validly completed and signed ballots shall be used in computing the required percentages.

The ballots for the subscriber votes shall state separately for each exchange required to be surveyed the amount of local service rate increases due to reclassification under currently effective tariffs. In no event shall the percentage of responses or affirmative votes be aggregated or averaged over the exchanges involved, but the results shall be separately compiled for each exchange.

(Effective May 19, 1988)

Sec. 16-1-125. Telephone company modernization

A new extended local calling route which otherwise meets the conditions set forth in these rules may be delayed in implementation by the Authority beyond the normal implementation interval, if it finds that the construction necessary to provide the route would conflict with a plan or program of modernization of telephone service equipment, either in progress or planned by the telephone company or companies that serve the exchanges involved. Such a conflict in a plan or program of modernization may be deemed to exist if a type or types of modification to equipment, required to provide extended local calling, would produce a payback rate, computed using standard financial accounting techniques, of less than or equal to 10 percent. The computation of the payback rate shall be limited to the term of the period before which equipment is to be replaced or modernized and to the estimated cost of the capital investment necessary to provide extended local calling service.

(Effective April 19, 1979)

Sec. 16-1-126. One-way extended local calling routes

All existing one-way extended local calling routes shall be converted to two-way local calling in coordination with the planned conversion to ESS facilities. The subscribers affected by the conversion of existing one-way ELC routes shall pay only the expense associated with reclassification to a higher rate group, if any. Where reclassification of an exchange from Class I to Class III occurs as a result of conversion of one-way toll route(s) to two-way local calling, the increase to Class II rates will be effected upon completion of said conversion and the increase in rates to Class III will be effected two years after completion of said conversion.

(Effective April 19, 1979)

Sec. 16-1-127. Revenue requirement changes

Any changes in the revenue requirements of the telephone company due to the granting of ELC in compliance with these regulations shall be the proper subject of a public hearing pursuant to Section 16-19 of the General Statutes of Connecticut. The hearing may be limited to consideration of the revenue requirements emanating from actions taken under these regulations.

(Effective April 19, 1979)

Area Transfers

Sec. 16-1-128. Definitions

As used in these rules concerning area transfer.

(a) "Customer" or "Subscriber" means any person or entity which has contracted with a telephone company for residential or business exchange telephone service and shall also include any such persons or entities that reside in the area

requested to be transferred but which have telephone exchange service from an exchange other than that which would normally serve the area.

(b) "Exchange" or "Telephone Exchange" means a telephone service area with geographic boundaries or telephone company designated administrative boundaries within which all customers have access to an identical list of central office codes which constitute the first three digits of telephone numbers they can call without paying a toll charge.

(c) "Telephone Company" means any public service company providing exchange telephone service within the State of Connecticut.

(d) "Department" means the Department of Public Utility Control.

(e) "Petition" means a request that a specific geographic area be transferred from one exchange to another within the same town, which meets the requirements of Section 16-1-129 and is in compliance with the provisions governing petitions to the Department in general, Sections 16-1-10 through 16-1-15 and Sections 16-1-45 to 16-1-52.

(f) "Principal Exchange" means that exchange which serves the largest number of customers within the town.

(g) "Area Transfer Area" means a single continuous exchange service area adjacent to the principal exchange and presently served by only one other exchange.
(Effective September 27, 1988)

Sec. 16-1-129. Petitions

(a) A petition for the transfer of an area from one exchange to another, in order to be considered by the Department, must meet the following requirements:

(1) The petition must be from customers who reside in an area of a town which is served by an exchange other than the principal exchange.

(2) The petition must be for transfer of an area of a town to the principal exchange for the same town.

(3) The form of the petition shall state the name, address, and telephone number of each person signing the petition, the name of the exchange which serves the subject area, the name of the principal exchange serving the town, and the number of customers in the town served by each of the exchanges involved.

(4) The petition must be signed by at least five percent (5%) of the customers in the area transfer area.

(Effective September 27, 1988)

Sec. 16-1-130. Telephone company studies

When a petition is filed with the Department under section 16-1-129, the telephone company(s) serving the exchanges shall be notified and thereafter shall conduct a study to determine the effect, if any, of the transfer of the area in question on the rates, then in effect, due to reclassification of one or more exchanges. A complete report of the above study, including a five (5) year analysis of the revenue requirements associated with such a transfer shall be filed with the Department no later than ninety (90) days following receipt of notification that a petition has been filed. The telephone company also shall file, with the above report, a proposed survey ballot and accompanying letter which explains the purpose of the survey.

(Effective September 27, 1988)

Sec. 16-1-131. Hearing

The Department shall hold a hearing on all petitions for the transfer of subscribers from one exchange to another to determine if the petition in all respects satisfies

the criteria set forth in section 16-1-129, that a previous petition has not been denied in the eighteen (18) month period prior to the filing of the current petition and if the public interest would be served by the proposed transfer. For the purpose of this section and section 16-1-132, the Department shall consider, without limitation, the following factors in determining whether a proposed area transfer is in the public interest:

- (1) the estimated cost of implementing the transfer;
- (2) the number of customers who would be transferred;
- (3) the estimated impact of the transfer upon rates, charges, and service for other customers of the company, and upon the company's revenue requirements; and
- (4) the relationship between implementing the proposed area transfer and the company's modernization program.

(Effective September 27, 1988)

Sec. 16-1-132. Subscriber votes

(a) In all cases where a petition is found to be in the public interest and otherwise conforms to these rules, the Department shall direct the telephone company to conduct a survey of all subscribers in the area proposed to be transferred. The vote of subscribers shall be initiated within sixty (60) days after the hearing required in Section 16-1-131. Each separately billed subscriber is entitled to only one vote. Responses to such a ballot shall be submitted to the telephone company no later than thirty (30) days after the expiration of the sixty (60) day voting period for counting under the direction of the Department. The ballots for such votes shall clearly and plainly state:

(1) The change in local service rates, if any, to which the subscribers would be subject due to different exchange classifications under currently effective tariffs, if the area transfer were approved.

(2) The exchanges, towns and three (3) digit telephone number prefixes which would be accessible to the subscribers if the area transfer were approved.

(3) The exchanges, towns and three (3) digit telephone number prefixes which would no longer be accessible to the subscribers if the area transfer were approved.

(4) The three (3) digit telephone number prefix(es) to which subscribers telephone numbers would be changed if the area transfer were approved.

(b) Modification of exchange boundaries (area transfer) shall be ordered if the Department finds that at least 50 percent (50%) of those subscribers surveyed respond and at least 60 percent (60%) of those, vote in favor. Only validly completed and signed ballots shall be used in computing the percentages. An area transfer so ordered shall be mandatory for all customers in the subject area.

(Effective September 27, 1988)

Sec. 16-1-133. Telephone company modernization

An area transfer petition which otherwise meets the conditions set forth in these rules may, upon approval by the Department, be coordinated in implementation with the telephone company's modernization programs. In no event shall the delay exceed twelve (12) months.

(Effective September 27, 1988)