

**ORIGINAL**

Decision No. 54822

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation upon the Commission's own motion to ascertain the present and potential demands for and availability of facilities for telephone service, and the need for and propriety of emergency modification of current rules or practices to facilitate the furnishing of telephone service. )

Case No. 5337

FOURTH INTERIM OPINION AND ORDER

The Western California Telephone Company, on March 1, 1957, filed with the Commission a petition for authority to continue in effect during the last six months of 1957 and the year 1958 the more detailed priority rule in its Los Gatos, Morgan Hill, Novato and Kenwood exchanges. The company states in its petition that adherence to the brief rule would not be in the public interest because, although its most recent report showed only five orders for telephone service held more than 15 days, it is faced with the possibility of a serious held-order situation resulting from future development within its exchange areas.

The company filed its petition in response to the Commission's Third Interim Opinion in this matter, Decision No. 53312, dated June 26, 1956, which ordered, among other things, that the 25 respondent telephone utilities shall file with this Commission in conformity with General Order No. 96 the brief priority rule and regulation shown in Appendix D of that decision, to become effective no later than July 1, 1957. The order further provided that those utilities which will require retention of the more detailed priority rule (Appendix B of Decision No. 53312) in any exchange after July 1,

1957, shall file by March 1, 1957, and thereafter not later than September 1, of each year, commencing with the year 1958, by formal petition under this case number, a list of exchanges where the more detailed rule will be required in the ensuing year together with supporting data as to:

1. Why the more detailed rule is required in each such exchange;
2. Why telephone service in the exchange will not be furnished on a current basis;
3. The utility's plans for providing sufficient facilities to furnish service on a current basis in each such exchange;
4. When the utility expects to be in a position to furnish service on a current basis in each exchange.

The brief rule provides four categories of priority compared to the nine contained in the more detailed rule. Among other differences, the brief rule in effect assigns better priority to residence applications after they have been held two months, whereas under the more detailed rule residence applications must be held six months before their priority is changed.

The company, in its petition, has made no showing requiring the retention of the more detailed rule. It merely argues that the more detailed rule would better serve the public interests if and when the company, which is now filling orders on a current basis, were to fall behind and develop a serious held-order situation. The Commission is of the opinion that retention of the more detailed rule is unnecessary under these circumstances and that the priority rule contained in Appendix D of Decision No. 53312 should become effective as required by that decision.

The Commission having considered the above matter, ex parte, and being of the opinion that petitioners request should be denied; therefore,

IT IS HEREBY ORDERED that:

1. The petition of the Western California Telephone Company for retention of the more detailed priority rule be, and it is hereby, denied;

2. The company, on or before May 31, 1957, shall file with this Commission in conformity with General Order No. 96, the priority rule and regulation shown in Appendix D of Decision No. 53312, to become effective no later than July 1, 1957.

Dated at San Francisco, California, this 9<sup>th</sup> day of April, 1957.

[Signature]  
President

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Commissioners