

**ORIGINAL**

Decision No. 61371

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

UNITED UTILITY USERS,  
a nonprofit citizens' association,  
Complainant,

vs.

Case No. 7017

THE CALIFORNIA WATER AND TELEPHONE CO.,  
Defendant.

UNITED UTILITY USERS,  
a non-profit citizens' association,  
Petitioner,

vs.

Case No. 7018

THE CALIFORNIA WATER & TELEPHONE CO.,  
Defendant.

PRELIMINARY ORDER

On November 21, 1960, two documents were filed, each containing more than 25 signatures, each titled in the form of a complaint, and each being designated as "Petition in protest of rates, services, and practices of the California Water and Telephone Company." They were assigned the above docket numbers.

Case No. 7017.

The document assigned Case No. 7017 alleges in substance that the chairman of "petitioner" association has investigated the rates and practices of defendant, and "has found" that many are injurious and unfair, and requests a "rehearing" looking toward correction of the "following complaints":

1. Defendant's rates are approximately 30% higher than Pacific Telephone Company's rates for comparable service.
2. Defendant does not furnish an itemized statement of toll calls.
3. The classified advertising section of defendant's telephone directory is inadequate.
4. Defendant gives inadequate attention to elimination of disturbing background noises, side tones or cross-talk annoyances.
5. Discourtesy and indifference on the part of defendant's personnel.
6. Delays in obtaining assistance from operators in placing calls and obtaining information.
7. Proposed rate increases according to advance notices are at variance with actual rate increases granted.
8. Absentee ownership in San Francisco results in higher overhead costs than would local management.

The prayer requests a "rehearing" of Decision No. 59772.

Defendant has filed an answer and motion to dismiss.

Case No. 7018.

The document assigned this number is similar in form to that in Case No. 7017, and seeks correction of the following "complaints":

1. Defendant's rates for Hillcrest exchange in Arcadia "are exorbitant."
2. Defendant will not furnish an itemized statement for toll calls to Hillcrest subscribers.

3. Defendant's Arcadia subscribers do not get a list of businesses in their own city in the classified directory. Defendant has filed an answer and motion to dismiss.

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Decision No. 59772 was issued on March 8, 1960, in defendant's Application No. 41298, and authorized certain rate increases. The time for filing of a petition for rehearing of that decision has long since passed, and complainant was not a party to that proceeding. That decision has become final, and its validity has been sustained by denial of a petition for writ of review by the Supreme Court of California on July 12, 1960. (Blincoe, individually and as President of Utility Users League v. Public Utilities Commission, S. F. No. 20443.)

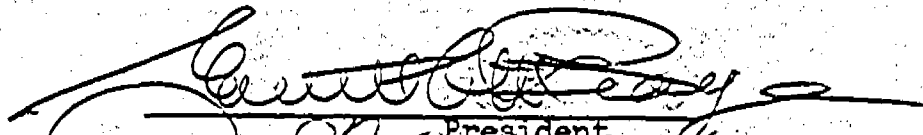


It is obvious that the present pleadings may not be treated as petitions for a rehearing of the March 8, 1960 decision relating to defendant's rates.

Neither complaint is prepared in strict conformity with the Commission's procedural rules, and for this reason might well be dismissed. However, they will be set for hearing so that complainant may have an opportunity to be heard.

Good cause appearing, IT IS ORDERED that Cases Nos. 7017 and 7018 are hereby dismissed insofar as the complaints therein purport to be petitions for rehearing of Decision No. 59772 in Application No. 41298.

IT IS FURTHER ORDERED that Cases Nos. 7017 and 7018 are hereby consolidated for hearing.

Dated at San Francisco, California, this 24<sup>th</sup> day of January, 1961.

  
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President  
  
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Commissioners