

Decision No. 71240**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

VAL A. THOMAS, doing business under  
the name of ANSO ALARMS AGENCY,

Complainant,

vs.

Case No. 8417

PACIFIC TELEPHONE & TELEGRAPH  
COMPANY,

Defendant.

ORDER OF DISMISSAL

The complaint herein, filed May 17, 1966, alleges in substance that complainant operates a fire alarm, burglar alarm, and telephone answering service; that an integral part of his operation involves the use of telephone lines; that defendant predicates its charges for the use of communication lines upon its filed tariff schedule Cal. P.U.C. No. 104 T, 2d revised sheet 19; that defendant computes all billing charges through its central signal channel office in San Francisco resulting in delays of approximately a week before information is available to complainant; and that the result of the delay and the method of computation causes complainant serious loss because of his inability to advise prospective subscribers of the cost of the particular service, as no price can be quoted until such information is obtained from defendant.

Complainant seeks an order: (1) that all signal channel lines for burglar and fire alarm systems have a price predicated upon the existing price system of secretarial lines used for telephone answering service, resulting in a flat charge for all subscribers within the telephone area served; and (2) that such charges be based upon the premise that signal lines are not Voice

Grade, so complainant can quote prices for such service at the time of solicitation of a subscriber.

By letter of May 31, 1966 complainant was furnished a copy of defendant's statement of asserted defects in the complaint, and was requested to advise whether complainant wished to request dismissal without prejudice, to file an amended complaint, or to rely upon the present pleading. No reply has been received.

Public Utilities Code section 1702 provides in part as follows:

"1702. \* \* \* No complaint shall be entertained by the commission, except upon its own motion, as to the reasonableness of any rates or charges of any gas, electrical, water, or telephone corporation, unless it is signed by the mayor or the president or chairman of the board of trustees or a majority of the council, commission, or other legislative body of the city or city and county within which the alleged violation occurred, or by not less than 25 actual or prospective consumers or purchasers of such gas, electricity, water or telephone service."

The complaint challenges the reasonableness of telephone rates or charges, does not comply with section 1702, and is therefore dismissed without prejudice.

Dated at San Francisco, California, this 6<sup>th</sup> day of SEPTEMBER, 1966.

[Signature]  
President

[Signature]

[Signature]

[Signature]

Commissioners

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.