

ORIGINAL

Decision No. 72864

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Charles Lindner, et al.,
 Complainant,
 vs.
 Pacific Telephone, a corporation,
 California Water & Telephone, a
 corporation,
 Defendants.

Case No. 8364
 Filed March 9, 1966

ORDER OF DISMISSAL

The complaint of Charles Lindner alleges in substance that the charge of \$5 for the use of a 25-foot extension cord is not consistent with the policy of giving credit for the use of equipment, once the initial charge has been paid. The policy holds true on the use of a color telephone, princess telephone, extension phone and other special services; but excludes 25-foot extension cords. The complainant objects to the \$5 use charge on a 25-foot extension cord every time he moves into another district. Complainant requests an order that "policy of giving credit on special equipment, once the initial charge has been paid, so that when he moves he may obtain the same equipment without paying the charge again, be applied to 25 foot extension cord."

In Perl v. General Telephone Company (Decision No. 72704 dated July 6, 1967 in Case No. 8563) the Commission denied relief in a situation where complainant attempted to recover a charge for a 20-foot extension telephone cord made after complainant moved into a different telephone exchange. Complainant had previously

paid for a 20-foot extension cord in her original exchange and if she had moved within the same exchange there would have been no charge for the extension cord. Defendant's tariff provided for a new charge for extension cords on a move to a new exchange but no charge if the move is within the exchange. In Perl we said, "An elimination of charges as sought herein by complainants is incompatible with the principle that nonrecurring or supplemental equipment charges to the extent that they are not fully compensatory place a burden on the general body of ratepayers. In this connection it is pertinent to note that Decision No. 71575 dated November 23, 1966 in Case No. 7409, considered that burden and increased certain service connection and move and change charges of the Pacific Telephone and Telegraph Company."

The extension cord tariff provisions of The Pacific Telephone and Telegraph Company and California Water & Telephone Company, defendants herein, are substantially the same as those of General Telephone Company. The rates and charges of The Pacific Telephone and Telegraph Company, including its charges for extension cords are currently under investigation in Case No. 8608.

The complaint is dismissed for failure to state a cause of action.

Dated at San Francisco, California, this 8th day of AUGUST, 1967.

President
William H. Bennett

William H. Bennett

John P. Monroise
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.