

Decision No. 75567

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension and Investigation on the Commission's own motion of tariffs covering the furnishing of Channels for Television Transmission for Use in Community Antenna Television Systems by The Pacific Telephone and Telegraph Company.

Case No. 8557

FIFTH AMENDMENT TO ORDER OF SUSPENSION AND INVESTIGATION

On October 25, 1966, the Commission issued an Order of Suspension and Investigation in Case No. 8557, suspending to and including February 27, 1967, the effective date of tariff sheets filed under The Pacific Telephone and Telegraph Company Advice Letter No. 9379; and on February 21, 1967, the Commission issued an Order Extending Period of Suspension to and including August 27, 1967; and on July 28, 1967, The Pacific Telephone and Telegraph Company filed a Supplement to Advice Letter No. 9379 requesting permanent suspension of said advice letter, and filed a substitute for it under Advice Letter No. 9598 to permit continuation of the investigation beyond the normal statutory limit. On August 22, 1967, the Commission issued a First Amendment to Order of Suspension and Investigation, which suspended Advice Letter No. 9598 until December 25, 1967; and on December 19, 1967 the Commission issued a Second Amendment to Order of Suspension and Investigation which extended until June 25, 1968, the suspension of the new or revised rates, classifications, practices or rules filed under Advice Letter No. 9598. On May 24, 1968, The Pacific Telephone and Telegraph Company filed a supplement to Advice Letter No. 9598 requesting permanent suspension of said advice letter and associated tariff sheets, and filed a substitute for it under

Advice Letter No. 9775 to permit continuation of the investigation beyond the normal statutory limit of suspension. On June 18, 1968, the Commission issued a Third Amendment to Order of Suspension and Investigation which permanently suspended Advice Letter No. 9598 and suspended Advice Letter No. 9775 and associated tariff sheets until October 21, 1968; and on October 15, 1968 the Commission issued a Fourth Amendment to Order of Suspension and Investigation which extended until April 21, 1969 the suspension of the new or revised rates, classifications, practices or rules filed under Advice Letter No. 9775. On March 21, 1969, The Pacific Telephone and Telegraph Company filed a supplement to Advice Letter No. 9775 requesting permanent suspension of said advice letter and associated tariff sheets and filed a substitute for it under Advice Letter No. 9916 to permit continuation of the investigation beyond the normal statutory limit of suspension. It now appears that a decision cannot be reached by April 21, 1969.

The Commission finds that the period of suspension should be extended; therefore,

IT IS ORDERED that:

1. The operation and effectiveness of the tariff sheets filed under respondent's Advice Letter No. 9916 are hereby suspended to and including August 18, 1969, unless otherwise hereafter ordered.
2. The original Order of Investigation under Case No. 8557 dated October 25, 1966, shall remain in effect as to matters considered under Advice Letter No. 9916 to the same extent as under Advice Letter No. 9379.

3. Tariff sheets filed under Advice Letters Nos. 9379, 9598 and 9775 of The Pacific Telephone and Telegraph Company are hereby permanently suspended.

The Secretary of the Commission is directed to cause a certified copy of this order to be served forthwith upon The Pacific Telephone and Telegraph Company, and to send a copy to the California Community Television Association.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 15<sup>th</sup> day of APRIL 1, 1969.

William J. ...  
President

Augustus ...

Fred P. Monassey

William A. ...

...  
Commissioners