

Decision No. 77189

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMUNICATIONS WORKERS OF AMERICA,
AFL-CIO, an unincorporated associa-
tion,

Complainant,

vs.

THE PACIFIC TELEPHONE & TELEGRAPH
COMPANY, a corporation, and
GENERAL TELEPHONE COMPANY OF
CALIFORNIA, a corporation,

Defendants.

Case No. 8815
(Filed June 10, 1968;
Amended July 29, 1968)ORDER REOPENING PROCEEDING

By petition filed April 13, 1970, complainant seeks a reopening of this matter submitted on December 23, 1969, for the purpose of taking additional evidence. Complainant alleges that said evidence was not previously adduced because complainant first learned of the additional evidence on March 19, 1970.

The proffered additional evidence consists of the 97 questions directed to three of Pacific's employees relating to Pacific's monitoring practices, which the Supreme Court, in bank, ruled must be answered,^{1/} and the answers thereto. Complainant submits that said evidence will be relevant in determining the issues before the Commission in this proceeding and in determining whether or not the telephone corporation is taking adequate steps to ensure the privacy of communications as provided in Section 7906 of the California Public Utilities Code.

^{1/} California Supreme Court No. LA 29650, March 13, 1970.

Pacific, by petition filed April 23, 1970, contends the petition is without merit and is not in compliance with Rule 24 of the Commission's Rules of Practice and Procedure and should be denied.

This matter will be reopened for further hearing at which complainant may present its proposed additional evidence which shall be distributed to all parties not less than ten days prior to the hearing and which shall be subject to cross-examination.

IT IS ORDERED that the submission of this matter is hereby set aside for the purpose of the receipt of additional evidence at a hearing, the time and place of which will be determined.

Dated at San Francisco, California, this 12th day of MAY, 1970.

William J. Symons, Jr.
President
Argyris
W. J. Symons, Jr.
W. J. Symons, Jr.
Vernon L. Stinger
Commissioners