

of defendant's tariff. The word "move" is not directly defined in the tariff. However, special conditions 2 and 5 of Schedule Cal. P.U.C. No. 28-T, Original Sheet 19, provide:

"2. A change of location from one premises to another...will not be treated as a move, but as a disconnect and a new installation.

"5. A change of location of items of Key Telephone System Service from one premises to another... will not be treated as a move, but as a disconnect and a new installation."

Schedule Cal. P.U.C. No. 36-T, First Revised Sheet 12, defines premises as:

"Any room of a building provided all of the room or a portion thereof is occupied by the subscriber in person or the subscriber's personnel."

In order to obviate not only future formal complaints but informal complaints and discussions between customers and company personnel over the definition of "move", defendant should insert a precise definition in its tariff.

Finding and Conclusion

We find that a removal of complainant's telephone service from a room on one floor of a building to another room on another floor, which room was not theretofore occupied by complainant, is, according to defendant's filed tariff rules, a disconnect and a new installation.

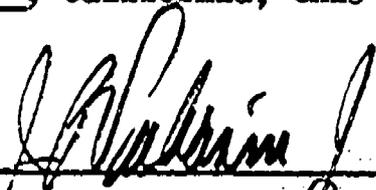
We conclude that defendant properly applied the charges provided in its tariff.

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O R D E R

IT IS ORDERED that the relief sought is denied, and the complaint in Case No. 9185 is dismissed.

Dated at San Diego, California, this 2nd day of JUNE, 1971.



Chairman



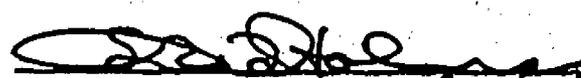
William J. Quous



Commissioner



Commissioner



Commissioners