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Decision No. 79033

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the rates, tolls, rules, charges, operations, separations, practices, contracts, service and facilities of The Pacific Telephone and Telegraph Company.

Case No. 9044  
(Filed April 7, 1970)

Investigation on the Commission's own motion into the rates, tolls, rules, charges, operations, separations, practices, contracts, services and facilities of the telephone operations of all the telephone corporations listed in Appendix A attached hereto.

Case No. 9045  
(Filed April 7, 1970)

PREHEARING CONFERENCE ORDER

The above named and numbered proceedings were originally consolidated with Application No. 51774 of The Pacific Telephone and Telegraph Company. Said application and other consolidated cases resulted in "Interim Opinion", Decision No. 78474 and Decision No. 78851, a final rate order. Each of said decisions made reference to the "Data Exchange Service" phase of Cases No. 9044 and No. 9045 and held said cases open only with respect to that phase of the proceedings.

On August 4, 1971 after due notice a prehearing conference was held in San Francisco on the "Data Exchange Service" phase of Cases No. 9044 and No. 9045.

A recommendation was advanced at the prehearing conference, and no objection by any participant was expressed thereto, that Cases No. 9044 and No. 9045, as they pertain to "Data Exchange Service", be expanded to include an investigation of "Unusual Business Usage", i.e., that voice and non-voice business usage which differs substantially from average business usage either in terms of holding time or volume of messages.

The recommendation also encompassed providing notice to as broad a spectrum of the business community as possible that the scope of the investigation had been expanded, by supplying written notice to that effect to all appearances in Application No. 51774; all persons receiving notice of the August 4, 1971 prehearing conference or who appeared at said conference; all respondents in Case No. 9045; and any other person that the Commission's staff or The Pacific Telephone and Telegraph Company can identify as being affected by such an investigation.

The recommendation further encompassed formation by Commission staff personnel of a committee composed of those concerned with such an investigation to identify and study the service and rate aspects of "Unusual Business Usage" and file an initial report or reports thereon no later than February 4, 1972. The report or reports among other things would attempt to identify types of "Unusual Business Usage", determine where and why they exist, recommend how they should be treated with respect to service and rates, and determine if "Unusual Business Usage" service poses a real or potential service threat to telephonic communication generally or to other specific users of telephone service.

It was also recommended that, should further prehearing conferences, hearings, or other procedural steps become necessary either before or after submission of the initial committee report to the Commission, any party might so move and the Commission could then take appropriate action.

C.9044, 9045    gg\*

The Commission is of the opinion that the recommendations made during the prehearing conference are acceptable but that an initial committee report should be presented to the Commission by December 8, 1971.

O R D E R

IT IS ORDERED that:

1. Cases No. 9044 and No. 9045, as held open by ordering paragraph 7 of Decision No. 78851 dated June 22, 1971, are hereby expanded to encompass service of an "Unusual Business Usage" nature.

2. The Secretary is directed to provide notice of the expanded investigation in Cases No. 9044 and No. 9045 to all appearances in Application No. 51774, to all persons who have indicated a continuing interest in Cases No. 9044 and No. 9045, to all respondents in Case No. 9045, and to any additional person identified by members of the Commission's staff or The Pacific Telephone and Telegraph Company as being concerned with the subject matter of Cases No. 9044 and No. 9045 as expanded.

3. The committee referred to in the opinion herein, shall make its initial report to the Commission and to the parties hereto, no later than December 8, 1971.

C.9044, 9045 88\*

4. A further prehearing conference will be held at 10:00 a.m. on December 8, 1971 in the Commission hearing room at the State Building, San Francisco, California.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 10th day of August, 1971.

William Lynous - P. Chairman  
[Signature]  
Thomas L. Stinger  
[Signature]  
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.