

ORIGINAL

Decision No. 79222

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RADIO ELECTRONIC PRODUCTS  
CORPORATION,  
a California Corporation,

Complainant,

vs.

PAUL E. BOER; REDDING RADIO PAGE;  
VALLEY INDUSTRIAL COMMUNICATIONS,  
INC.; SHASTA LOGGERS RADIO  
ASSOCIATION; RED BLUFF ANSWERING  
SERVICE; PHYSICIANS AND BUSINESS  
SERVICE; DOES I THROUGH L.

Defendants.

Case No. 9276

ORDER TO SHOW CAUSE

O R D E R

WHEREAS Radio Electronic Products Corporation, a radio-telephone utility subject to the jurisdiction of this Commission has filed a complaint against Paul E. Boer, Redding Radio Page, Valley Industrial Communications, Inc., Shasta Loggers Radio Association, Red Bluff Answering Service, Physicians and Business Service, DOES I through L alleging that said defendants constitute a public utility of the class specified in Section 1001 of the California Public Utilities Code and that they have constructed and are constructing telephone facilities and have offered and are offering telephone service to the public at Redding, Red Bluff and surrounding areas in California without a certificate of public convenience and necessity from this Commission in violation of the provisions of the California Public Utilities Code; and

WHEREAS said Radio Electronic Products Corporation has alleged that irreparable injury will be done to it unless said defendants are ordered to cease and desist from offering and furnishing telephone service to the public and from constructing additional telephone facilities; and

WHEREAS, said Radio Electronic Products Corporation has requested this Commission to issue an Order to Show Cause why such an Order to Cease and Desist should not be entered against said defendants;

NOW THEREFORE, Paul E. Boer, Redding Radio Page, Valley Industrial Communications, Inc., Shasta Loggers Radio Association, Red Bluff Answering Service, Physicians and Business Service, are ordered to appear before Examiner Carol T. Coffey or such other Examiner and/or Commissioner as the Commission may assign, at a location in the City of Redding to be designated later, at 10:00 a.m. on October 19, 1971, there to show cause, if any there be, why they should not be ordered to cease and desist from expanding their radio-telephone plant and operations which provide "shared" service to the public, or any portion thereof, and to participate at that time in the setting of a date for a full hearing as to why they should not be ordered to cease and desist from constructing any radiotelephone system for, or from offering or rendering any radiotelephone service to the public, or any segment thereof, until and unless they shall first apply for and receive from this Commission a certificate of public convenience and necessity.

Complainant's request for a Temporary Cease and Desist Order is denied.

The effective date of this order is the date hereof.

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The Secretary is directed to cause personal service of this Order to Show Cause to be made upon the defendants, and each of them.

Dated at San Francisco, California, this 5<sup>th</sup>  
day of OCTOBER, 1971.

William J. Sullivan  
Chairman

Verna L. Sturgeon

Thomas Moran  
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.