

ORIGINAL

Decision No. 79400

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SEYMOUR H. KOTT, et al.,
Complainants,

vs.

GENERAL TELEPHONE CO.,
a Corporation, and
PACIFIC TELEPHONE CO.,
a Corporation,

Defendants.

Case No. 9235
(Filed June 17, 1971;
Amended August 19, 1971)

O P I N I O N

The complainant and 24 other subscribers request a "full-scaled hearing to discuss and judge the reasonableness and fairness to the public and average citizen and telephone subscriber of the present intercity toll charges ('message units')" in the Los Angeles area. Complainants state they would rather pay slightly more in monthly telephone base charges and have unlimited dialing freedom within, say, a 15-20 mile radius.

The reasonableness of both The Pacific Telephone and Telegraph Company's (Pacific) and General Telephone Company of California's (General) rates and charges has been the subject of numerous statewide public hearings before this Commission. Such proceedings have included a thorough examination of the size and composition of local calling areas as well as the existence of, and level of, message toll and message unit charges.

Pacific's present rates and charges were just found reasonable in Decision No. 78851 dated June 22, 1971, after 81 days of public hearings. Similarly, the reasonableness of General's rates and charges was the subject of public hearings on Application No. 51904 which is presently awaiting decision before this Commission. Complainant Kott in this matter testified during the proceeding in Application No. 51904 and raised the same issues in that case as he raises in the instant complaint (A. 51904, Tr. 275-77).

Multi-message unit service was first instituted by General in 1940 and has been the subject of numerous public hearings before this Commission, the most recent being the hereinabove mentioned Application No. 51904.

General alleges that the current schedule shows that by the end of 1974 optional residence telephone service (ORTS), wherein the residential telephone subscriber may tailor his free calling area to his own needs, will be instituted throughout the Los Angeles Extended Area.

The Commission finds that:

1. Paragraph No. 5 of Decision No. 78851, dated June 22, 1971, orders Pacific as follows:

"5. Within six months after the effective date of this order, Pacific shall file in these proceedings detailed feasibility studies showing advantages, disadvantages, effects, costs and plant investment required to effect each of the staff recommendations set forth in Chapters 6 and 7 of Exhibit No. 69 not disposed of by this decision."

2. The staff made the following message unit recommendations in said Exhibit No. 69:

- a. Pacific shall develop and place into effect a program to discontinue multi-message unit service in the Los Angeles and San Francisco-East Bay extended areas by converting all present three-MMU (9- to 12-mile) routes to extended service by December 31, 1978. Upon completion of the conversion of 20 percent of three-unit routes, as measured by volume of traffic, Pacific is to convert all six-MMU (21- to 25-mile) routes to message toll telephone service. Upon completion of the conversion of 50 percent of three-unit routes, as measured by volume of traffic, Pacific is to convert all five-MMU (17- to 20-mile) routes to message toll telephone service. Upon completion of the conversion of 80 percent of three-unit routes, as measured by volume of traffic, Pacific is to convert all four-MMU (13-mile) routes to message toll telephone service.
- b. Pacific shall withdraw the offering of multi-message unit service over routes of 26 to 30 miles and 31 to 40 miles (Seven and Eight MMU Routes) and to substitute message toll telephone service therefor.

3. The reasonableness of General's rates and charges and service arrangements have been reviewed in detail in connection with the proceedings under Application No. 51904, which is currently before the Commission for decision.

4. Complainant Kott has appeared in Application No. 51904 and testified at transcript pages 275 through 277 as to the points he has raised in this complaint.

5. In Decision No. 78851 the Commission has ordered that investigation and feasibility studies be conducted for the elimination of multi-message unit service.

6. No further relief can be granted complainant at this time.

7. A public hearing at this time will serve no useful purpose.

Having considered the pleadings, we conclude that the complaint should be dismissed without a hearing.

O R D E R

IT IS HEREBY ORDERED that the complaint in Case No. 9235 is dismissed without prejudice.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 23rd day of NOVEMBER, 1971.

William L. Steyer Chairman
William L. Steyer
William L. Steyer Commissioners

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