

CG

Decision No. 79432

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of
THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation, for authority
to increase certain intrastate rates and
charges applicable to telephone services
furnished within the State of California.

Application
No. 51774
(Filed March 17, 1970)

William M. Bennett, Consumer Spokesman,
and Consumers Arise Now, an association,

Complainants,

vs.

The Pacific Telephone and Telegraph
Company, a corporation,

Defendant.

Case No. 9036
(Filed April 13, 1970)

144 SPANISH-SPEAKING TELEPHONE SUBSCRIBERS
FROM SAN FRANCISCO, SONOMA, AND IMPERIAL
COUNTIES, THE SPANISH SPEAKING/SURNAMED
POLITICAL ASSOCIATION, THE MEXICAN-
AMERICAN POLITICAL ASSOCIATION, THE
HEALDSBURG AND WINDSOR LOCAL ACTION
COUNCILS,

Complainants and
(Proposed) Protestants,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant and Applicant in
Proposed Rates Increase #51774.

Case No. 9042
(Filed April 2, 1970)

WILLIAM M. BENNETT, Consumer Spokesman,
and Consumers Arise Now, an association,

Complainants,

vs.

Western Electric Company, joining Pacific
Telephone and Telegraph Company and
American Telephone and Telegraph Company
as Interested Parties,

Defendants.

Case No. 9043
(Filed April 6, 1970)

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 service and facilities of the telephone corporations of all the telephone corporations listed in Appendix A, attached hereto.

Case No. 9045
(Filed April 7, 1970)

ORDER REOPENING PROCEEDING

The California Supreme Court on November 26, 1971, annulled Decision No. 77984 in the above entitled proceeding on the ground that the Commission had not considered lawful alternatives to the method decided upon by the Commission in said Decision by which to calculate income tax expense. Said Decision was an interim Decision and did not increase rates.

Parties to the proceeding have sought refund of that portion of the rate increases ascribable to the method used by the Commission to calculate income tax expense in the final Decision No. 78851 in the above proceeding. Petition for writ of review of Decision No. 78851 is now pending in said court.

In order to comply with the Court's decision of November 26, 1971, we find that the above entitled proceeding should be reopened for the purpose of considering lawful alternatives to the method used by the Commission in calculating income tax expense. No determination or plan respecting refunds can be made on the existing record in this proceeding. The Court has not ordered that a refund be made. However, in the reopened proceeding the Commission will receive evidence on the subject of refunds which may be ascribable to the method used in Decision No. 78851 to calculate income tax expense.


A. 51774 et al. is*

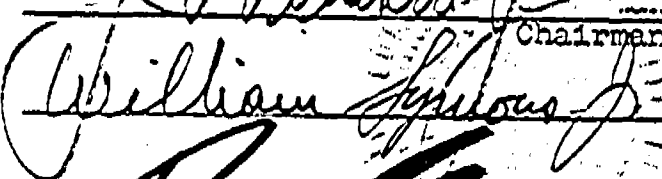
IT IS ORDERED that the above entitled proceeding is hereby reopened for the purpose of considering lawful alternatives to the method found proper by the Commission in Decision No. 77984 and used by it to calculate income tax expense in Decision No. 78851; and for the further purpose of receiving evidence on the subject of possible refunds, with appropriate interest, ascribable to the method used in Decision No. 78851 to calculate income tax expense.

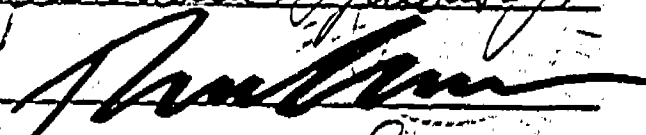
IT IS FURTHER ORDERED that Pacific shall continue to maintain records of intrastate charges to each of its customers (excluding coin box collections) as previously ordered in Decision No. 78851.


The Secretary is directed to cause this order to be mailed to all parties herein and to send notice of further hearing to such parties at least ten (10) days before the date of such hearing.


Dated at San Francisco, California, this 30th day of NOVEMBER, 1971.



Chairman







Commissioners