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Decision No. 80056

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MRS. EDGAR H. WOODSON,

Complainant

vs.

Case No. 9351

THE PACIFIC TELEPHONE AND
TELEGRAPH COMPANY,

Defendant.

ORDER OF DISMISSAL

Complainant alleges that she has "lifeline" service and another telephone service at the same premises. She further alleges that she was informed by defendant that defendant's tariffs prohibit "lifeline" service if there is another service on the premises, and that one of these services would have to be terminated. Complainant further states that she was never informed that "lifeline" service could not be provided if there was another service on the premises. She asks that both services be ordered continued by this Commission.

Pursuant to Rule 12 of the Commission's Rules of Practice and Procedure, defendant filed a letter dated March 30, 1972, enclosing copies of the applicable tariff for "lifeline" service. This tariff, as well as preceding tariffs since inauguration of "lifeline" service, contains the following statement:

"Other residence primary service will not be
furnished concurrently on the same premises."

The controversy herein arises because defendant provided "lifeline" service to complainant in violation of its own tariff.

It is now attempting to correct this error. To do otherwise would be a violation of Section 453 of the Public Utilities Code, which states in part as follows:

"No public utility shall, as to rates, charges, service, facilities, or in any other respect, make or grant any preference or advantage to any corporation or person or subject any corporation or person to any prejudice or disadvantage."

Defendant should fully explain to complainant the various types and prices of service which will be available to her as an alternative to "lifeline" service, if more than one service is to be made at the premises.

In order to obviate this situation in the future, defendant is directed to call attention to the restrictive provisions of "lifeline" service to all of its employees who may be dealing with public inquiries concerning such service.

The Commission finds:

- 1) That complainant is receiving both "lifeline" and other service at the same premises;
- 2) That the tariffs of defendant prohibit "lifeline" service when other service is provided at the same premises;
- 3) To permit complainant to retain both "lifeline" and other service on the same premises, in violation of the tariff of defendant, would amount to a preference which is prohibited under section 453 of the Public Utilities Code.

The Commission concludes that the complaint herein must be dismissed.

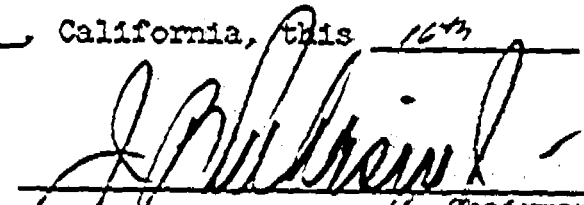
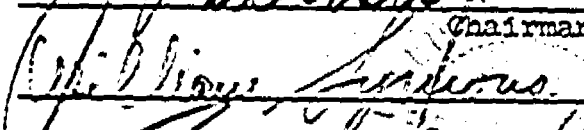
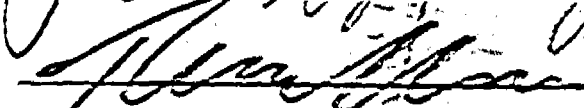
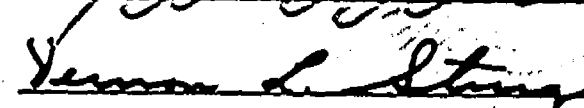

ORDER

1. The complaint herein is dismissed.
2. Defendant is ordered to call attention to the restrictive provisions of "lifeline" service to all of its employees who will be dealing with public inquiries concerning such type of service.

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

Dated at San Francisco, California, this 16th day of MAY, 1972.


Chairman




Commissioners