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Decision No. 81593

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DAVE FAETH,

Complainant,

vs.

PACIFIC TELEPHONE CO.,

Defendant.

Case No. 9524
(Filed March 21, 1973)

ORDER OF DISMISSAL

On March 21, 1973, complainant filed a complaint alleging that defendant on February 7, 1973, without notice, had discontinued complainant's telephone service for nonpayment; that upon payment of the bill defendant required a deposit upon which defendant was to pay interest below prime rates offered by banks to companies such as defendant; and that complainant was entitled to a refund for several long distance calls which he did not make.

On April 30, 1973, defendant filed an answer alleging that complainant's bill dated January 22, 1973 was rendered in the amount of \$31.84, including a balance of \$9.58 carried forward from the November and December 1972 bills; that on February 7, 1973 a notice was mailed to complainant informing him payment of the bill was required within five days or the telephone service would be subject to disconnection; that on February 15, 1973, as no payment had been received or other response from complainant, outgoing service was disconnected; that a letter was sent to complainant on February 15, 1973 informing complainant that payment of the sum of \$31.84 and a deposit pursuant to Schedule Cal. P.U.C. No. 36-T, 4th Revised Sheet 36, would be required to connect service; that interest paid on the deposit is in compliance with Schedule Cal. P.U.C. No. 36-T, 3rd Revised Sheet 40; that payment of \$31.84 was received on February 16, 1973 and service was reconnected without deposit; that

on March 15, 1973 defendant adjusted complainant's long distance calls in the amount of \$14.84; and that representatives have attempted to contact the complainant and fully inform him of the action taken and tariff provisions relative to payment and deposit requirements.

On May 31, 1973, defendant filed a motion to dismiss on the ground that the complaint has been satisfied.

After consideration the Commission finds that the complaint has been satisfied and concludes that it should be dismissed.

IT IS ORDERED that the complaint is dismissed.

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

Dated at San Francisco, California, this 17th day of JULY, 1973.

Vernon L. Sturgeon
President

J. P. Sullivan Jr.
Paul R. [illegible]
[illegible]
Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.