

Decision No. 83822

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE PACIFIC TELEPHONE
AND TELEGRAPH COMPANY, a corporation,
for authority to carry out the terms
and conditions of agreements with
certain customers covering the offer-
ing of 770A Dial Private Branch
Exchange Service.

Application No. 54881

In the Matter of the Application of
The Pacific Telephone and Telegraph
Company, a corporation, for telephone
service rate increases to offset
increased wage, salary and associated
expenses.

Application No. 55214

Application of THE PACIFIC TELEPHONE
AND TELEGRAPH COMPANY, a corporation,
for a tariff for 770A Package II Dial
Private Branch Exchange Service.

Application No. 55276

CONSUMERS LOBBY AGAINST MONOPOLIES,
DAVID L. WILNER, In Pro Per,
Complainant,

vs.

Case No. 9794

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a Corporation,
Defendant.

Investigation on the Commission's
own motion into the rates, tolls,
rules, charges, operations, costs,
separations, inter-company settle-
ments, contracts, service, and
facilities of THE PACIFIC TELEPHONE
AND TELEGRAPH COMPANY, a California
corporation; and of all the tele-
phone corporations listed in
Appendix A, attached hereto.

Case No. 9832

Investigation on the Commission's own
motion into the rates, rules, charges,
operations, practices, contracts,
services and facilities of THE PACIFIC
TELEPHONE AND TELEGRAPH COMPANY,
a California corporation, as such
relate to the 770A dial PBX System.

Case No. 9838

ORDER CONSOLIDATING AND SEVERING PROCEEDINGS

This date the Commission issued an order instituting an investigation (Case No. 9838) regarding the offering of 770A Dial Private Branch Exchange Service. Certain other proceedings are now before the Commission concerning this service, and, for the convenience of the Commission and the parties involved, these proceedings should be consolidated for hearing.

Application No. 54881 filed May 16, 1974 concerns certain contracts for 770A service. A prehearing conference was held in that matter on July 3, 1974, and on July 16, 1974 we issued an interim opinion and order requiring the applicant, The Pacific Telephone and Telegraph Company (Pacific Telephone), to give certain notification to its customers, and further requiring Pacific Telephone to notify the protestant and the Commission staff, in writing, at least 20 days before assessing any termination charge pursuant to provisions in the contracts.

Application No. 55276 is Pacific Telephone's application for a tariff for the 770A service. Since that application, if granted, would result in a rate increase, it was, by previous Commission order, consolidated with Application No. 55214 (requesting general offset relief because of increased wage, salary, and associated expenses) and Case No. 9832 (an order instituting investigation into Pacific Telephone's rates, tolls, rules, charges, operations, costs, separations, intercompany settlements, contracts, service, and facilities).

Because of the questions raised in the various proceedings on 770A service, the Commission believes it will be more expeditious to sever Application No. 55276 from Application No. 55214 and Case No. 9832, and to consolidate Application No. 55276 with the remainder of the cases mentioned herein concerning 770A service.^{1/}

Case No. 9794 is a complaint which appears to concern problems relating to 770A service. That complaint is the subject of a motion to dismiss filed by Pacific Telephone. We do not determine the sufficiency of the complaint or the merits of the motion to dismiss here. Case No. 9794 should also be consolidated with the remainder of the matters concerning 770A service.

IT IS ORDERED that:

1. Application No. 55276 is severed from Application No. 55214 and Case No. 9832.

2. Application No. 54881, Application No. 55276, Case No. 9794, and Case No. 9838 are consolidated for hearing, the time and place of such hearing to be determined by later order of the Commission.

^{1/} An interim opinion and order (Decision No. 83761 dated November 26, 1974) establishing a tariff for 770A service, subject to refund, is the subject of a petition for rehearing filed on December 2, 1974 by Consumer Lobby Against Monopolies (David L. Wilner). We do not determine here the merits of this petition.

3. The dates set at the prehearing conference on December 2, 1974 for hearing on Application No. 55276 (February 3, 4, 5, 6, 10, 11, and 12, and May 19, 20, 21, and 22, 1975) are hereby vacated. The parties to Application No. 55214 and Case No. 9832 are hereby notified that May 19, 21, and 22, 1975 will be used for afternoon and evening hearings in San Diego, Fresno, and Sacramento, respectively, concerning issues in Application No. 55214 and Case No. 9832, the exact times and places of which will be the subject of further notice.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 10th
day of DECEMBER, 1974.

Vernon L. Stenger
President
William Synovus J.
Thomas Moran
Robert E. McFarland
Commissioners