

ORIGINAL

Decision No. 84981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

REDEVELOPMENT AGENCY OF THE CITY
OF SANTA MARIA, a public body,
corporate and politic,
Complainant,

v.

GENERAL TELEPHONE COMPANY OF
CALIFORNIA, a corporation,
Defendant.

Case No. 9813
(Filed October 25, 1974)

ORDER DENYING REHEARING, INTERVENTION
AND MODIFYING DECISION NO. 84775

A petition for rehearing of Decision No. 84775 has been filed by General Telephone Company of California (General). The Commission has considered each and every allegation made and is of the opinion that good cause for rehearing has not been made to appear. However, Decision No. 84775 should be modified in one regard.

Finding No. 5 in Decision No. 84775 provides:

"5. It is reasonable and justified to require communications utilities to bear the cost of undergrounding in cases where the electric utility does not, as their cost differential between relocating aerially and underground has been virtually eliminated."

After reviewing the subject petition, we now feel that this finding should be deleted.

As indicated in Decision No. 84775 at 7, the sole issue involved in this complaint proceeding concerns the interpretation of General's undergrounding tariff rule, Rule 40. It does not involve a reevaluation of the evidence adduced in Case No. 8209 as an independent matter. Our references to Decision No. 73078 and our comments on the costs of undergrounding communications facilities in Decision No. 84775 were made in the context of interpreting General's Rule 40.

In the instant filing General has set forth its version of the evidence on cost as presented in Case No. 8209. We are not trying that case now and will not reevaluate that record. It is to avoid any possible confusion on this score that we now choose to delete the finding of fact that may have caused petitioner to believe albeit incorrectly, that the cost of undergrounding was an issue in this complaint proceeding.


The Pacific Telephone and Telegraph Company (PT&T) has filed a petition to intervene and for a rehearing, therein presenting the same issues as General. By this filing, PT&T requested a waiver of Rule 53 of the Commission's Rules of Practice and Procedure. After evaluating this filing, the Commission is of the opinion that good cause for said waiver has not been made to appear.

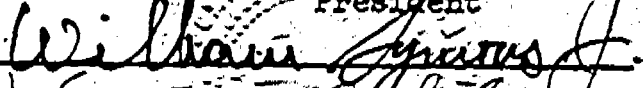
THEREFORE, IT IS ORDERED THAT:

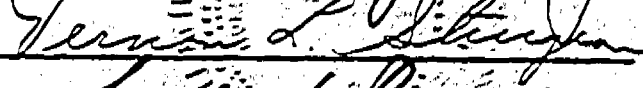
1. Finding No. 5 in Decision No. 84775 is hereby deleted.
2. Rehearing of Decision No. 84775, as modified hereinabove, is hereby denied.
3. The Petition to Intervene by The Pacific Telephone and Telegraph Company is hereby denied.
4. The suspension of Decision No. 84775, imposed by the timely filing of a petition for rehearing, is hereby dissolved.

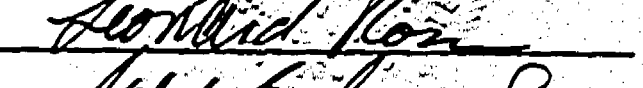
The effective date of this order is the date hereof.

Dated at San Francisco, California, this 7th day
of OCTOBER, 1975.



President






Commissioners