

Decision No. 85882

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CAUSE (Campaign Against Utility
Service Exploitation),

Complainant,

vs.

PACIFIC TELEPHONE & TELEGRAPH CO.,

Defendant.

Case No. 10073
(Filed March 22, 1976)

Investigation on the Commission's
own motion into the adoption of a
directory assistance charge
plan by any or all of the
telephone corporations in
California, listed in Appendix A,
attached hereto.

Case No. 10085
(Filed April 20, 1976)

ORDER CONSOLIDATING PROCEEDINGS

Complainant in Case No. 10073 alleges that the defendant, The Pacific Telephone and Telegraph Company (Pacific), engages in unreasonable practices relating to furnishing telephone directories to customers in the Los Angeles area. Defendant, in its answer, denies the complaint's allegations, and avers that the practices referred to do not result in anyone not being supplied a directory, and that the practices were instituted because of a campaign by complainant to have Pacific's customers in the 213 (Los Angeles) area code telephone Pacific and ask for all the directories in that area.

From a reading of the complaint and the answer it is clear that the issues raised are associated with the proposed directory assistance charge plan (DACP) filed by Pacific in Application No. 55492, pursuant to our previous order, and now the subject of Case No. 10085, by virtue of our Order Instituting Investigation in Case No. 10085 dated April 20, 1976. (Complainant was served by mail with this Order Instituting Investigation, since it is a party to Application No. 55492 and Case No. 10001, and the order instituting Case No. 10085 directed all parties to Application No. 55492 and Case No. 10001 to be so served.).

Since the issues in the complaint (Case No. 10073) relate to those in our DACP investigation (Case No. 10085), it will be our order that these matters be consolidated for hearing.

We do not believe that complainant is entitled to any interim relief pending hearing, since there is no showing that the practices of Pacific result in any subscriber failing to receive a requested directory (unless the supply is exhausted, in which event the subscriber would be unable to obtain it with or without the practices referred to). In any event, no customer is at this time aggrieved by failing to receive a directory, since no DACP is in effect, and no such tariff may be placed into effect without prior approval of this Commission.

IT IS ORDERED that Case No. 10073 and Case No. 10085 are consolidated for hearing, such hearing to be held before such Commissioner and/or examiner as may be designated, at a time to be determined.

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

Dated at San Francisco, California, this 2nd day of JUNE, 1976.

William Symons Jr. President
James A. Lingen
Alan
Robert R. K. Commissioners