

Decision 84 02 012

FEB 1 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORDER INSTITUTING INVESTIGATION to  
determine whether competition should  
be allowed in the provision of  
telecommunications transmission  
services within the state

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OII 83-06-01  
(Filed June 29, 1983)

Application 82-12-21  
(Filed December 9, 1982)

Application 83-01-20  
(Filed January 13, 1983)

Application 83-05-16  
(Filed May 6, 1983)

Application 83-05-26  
(Filed May 13, 1983)

Application 83-05-40  
(Filed May 18, 1983)

Application 83-06-54  
(Filed June 24, 1983)

Application 83-07-21  
(Filed July 11, 1983)

Application 83-08-26  
(Filed August 8, 1983)

Application 83-09-37  
(Filed September 19, 1983)

Application 83-10-09  
(Filed October 5, 1983)

Application 83-11-07  
(Filed November 3, 1983)

And Related Matters.

And Related Matters.

Application 83-12-25  
(Filed December 15, 1983)

Application 84-01-01  
(Filed January 3, 1984)

Application 84-01-11  
(Filed January 5, 1984)

Application 84-01-33  
(Filed January 13, 1984)

Application 84-01-38  
(Filed January 18, 1984)

Application 84-01-61  
(Filed January 27, 1984)

Case 83-05-05  
(Filed May 12, 1983)

(I&S)  
Case 83-11-05  
(Filed November 22, 1983)

(Appearances will be included with the final decision)

INTERIM OPINION

Creative Telecommunications, Inc., Republic Telcom Corporation-Pacific, Executive of Sacramento, and Southwest Interconnect Corp. (applicants) request authority to provide intercity long distance telephone service within California. By order dated June 29, 1983, the Commission instituted this investigation to consider whether competition should be allowed in the provision of telephone service. The order provided that all applications to provide competitive service were consolidated with the investigation.

By Interim Decision (D.)84-01-37 dated January 5, 1984, the Commission granted every pending application, to the limited extent of providing interLATA service, subject to the condition that applicants not hold out to the public that they provide intraLATA service. Applicants' applications were not received in time to be considered along with the others.

Having decided the major policy question whether to permit interLATA entry, there is no basis for excluding any applicant that will accept the conditions of entry. Therefore, A.84-01-11, 84-01-33, 84-01-38, and 84-01-61 are granted to the same extent as the applications granted by D.84-01-37.

Findings of Fact

1. By D.84-01-37 the Commission authorized interLATA entry generally.
2. There is no basis for treating these applicants differently from others.
3. These applications should be granted to the same extent as the other applications.
4. Because of the public interest in effective competition, this order should be effective today.

Conclusion of Law

1. These applications should be granted to the same extent as other applications.

INTERIM ORDER

IT IS ORDERED that:

1. The applications are granted to the limited extent of providing the requested service on an interLATA basis, subject to the condition that each applicant refrain from holding out to the public the provision of intraLATA service.

2. Applicants are authorized to file with this Commission, five days after the effective date of this order, tariff schedules for the provision of interLATA service. If any applicant has an effective FCC approved tariff, it may file a notice adopting such FCC tariff with a copy of the FCC tariff included in the filing. Such adoption notice shall specifically exclude the provision of intraLATA service. If any applicant has no effective FCC tariffs, or wishes to file tariffs applicable only to California intrastate interLATA service it is authorized to do so, including rates, rules, regulations, and other provisions necessary to offer service to the public. Such filing shall be made in accordance with General Order 96-A, excluding Sections IV, V, and VI, and shall be effective not less than one day after filing.

3. The requirements of General Order 96-A relative to the effectiveness of tariffs after filing are waived in order that changes in FCC tariffs may become effective on the same date for California interLATA service for those companies that adopt the FCC tariffs.

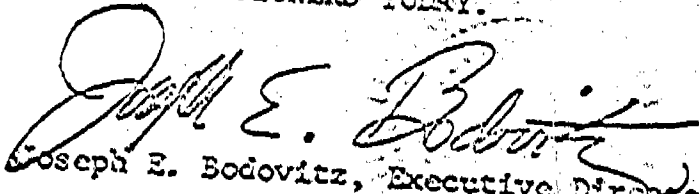
This order is effective today.

Dated FEB 1 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

VICTOR CALVO  
PRISCILLA C. GREW  
DONALD VIAL  
WILLIAM T. SAGLEY  
Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

  
Joseph E. Bodovitz, Executive Director

And Related Matters.

) Application 83-12-25  
(Filed December 15, 1983)

) Application 84-01-01  
(Filed January 3, 1984)

) Application 84-01-11  
(Filed January 5, 1984)

) Application 84-01-33  
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(Filed May 12, 1983)

) (I&S)  
Case 83-11-05  
(Filed November 22, 1983)

(Appearances will be included with the final decision)

INTERIM OPINION

By Application (A.) 84-01-11 filed January 5, 1984, Creative Telecommunications, Inc., Republic Telcom Corporation-Pacific, Executive of Sacramento, and Southwest Interconnect Corp. (applicants), request authority to provide intercity long distance telephone service within California. By order dated June 29, 1983, the Commission instituted this investigation to consider whether competition should be allowed in the provision of telephone service. The order provided that all applications to provide competitive service were consolidated with the investigation.