

Decision 88 06 039

JUN 17 1988

ORIGINAL

JUN 20 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Pacific Bell, a corporation, for)
authority to increase certain intra-)
state rates and charges applicable)
to telephone services furnished)
within the State of California.)

Application 85-01-034
(Filed January 22, 1985;
amended June 17, 1985 and
May 19, 1986)

I.85-03-078
(Filed March 20, 1985)

And Related Matters.)

OII 84
(Filed December 2, 1980)

Case 86-11-028
(Filed November 17, 1986)

INTERIM OPINION RE WORKSHOP/CNP MECHANISM

In Decision (D.) 87-12-067, our Second Interim Opinion in Application 85-01-034, we ordered Pacific Bell to develop and test further informational and corrective customer notification/refund measures and to undertake a second customer notification plan (CNP) in concurrence with parties active in the marketing abuse workshops. We also ordered Pacific Bell to file a compliance filing twenty days prior to actually undertaking this second CNP campaign (D.87-12-067, Ordering paragraph 2). Pacific Bell made this compliance filing on April 12, 1988, thereby triggering the provisions of D.87-12-067 (Ordering Paragraph 4) requiring the filing of a joint recommendation by all workshop participants

concerning the ultimate fate of the workshop/CNP mechanism. This joint recommendation was filed on May 12, 1988.¹

The workshop participants recommend that the Commission retain the workshop/CNP mechanism until the completion of the second CNP, an event expected to occur by November 1988. During the course of the second notification program, the workshop participants anticipate that they will meet periodically so that the nonutility participants can receive status reports on the program's progress.

Noting that we have required Pacific Bell to file a compliance report on the results of the second CNP within nine months after commencement (D.87-12-067, Ordering Paragraph 3), the workshop participants propose to file a second joint recommendation relative to terminating the workshop mechanism thereafter.

Given the desire of the workshop participants to monitor the progress of the second CNP until its expected completion in November 1988, we agree with the suggestion that we defer deciding the termination issue until after Pacific Bell has filed its Ordering Paragraph 3 compliance report. To that end, we will require that the workshop participants submit a second joint recommendation thirty days after Pacific Bell files its Ordering Paragraph 3 Compliance Report.

Findings of Fact

1. In accordance with D.87-12-067, Pacific Bell has undertaken a second Customer Notification Plan (CNP) designed to alert ratepayers to the availability of refunds in connection with the utility's past marketing activities.

¹ The May 12th Joint Filing was submitted by Pacific Bell, Consumer Action, Public Advocates, TURN, and the Commission Advisory and Compliance Division (CACD), Division of Ratepayer Advocates (DRA), and Consumer Affairs Branch.

2. In compliance with Ordering Paragraph 4 of D.87-12-067, the marketing abuse workshop participants have filed a joint recommendation proposing that the Commission defer deciding the question of terminating the workshop/CNP mechanism until after Pacific Bell completes the second CNP campaign and files the Compliance Report required by Ordering Paragraph 3 of D.87-12-067.

3. Deferral of the workshop termination issue will allow the workshop participants to monitor the progress of the second CNP until its expected completion in November 1988.

Conclusion of Law

The suggestion of the workshop participants that the question of terminating the workshop/CNP mechanism be deferred until after Pacific Bell completes the second CNP and files its Ordering Paragraph 3 Compliance Report, should be adopted.

INTERIM ORDER

IT IS ORDERED that within 30 days from the date Pacific Bell files its Compliance Filing as required by Ordering Paragraph 3 of D.87-12-067, the workshop participants shall file with the Docket Office, and serve on all parties, their second joint filing containing recommendations relative to terminating the workshop/CNP mechanism. As in the case of the initial compliance filing, the second joint filing shall be signed by all the workshop

participants; however, it shall be drafted in a manner that fully informs the Commission of areas of disagreement, as well as agreement, among the participants.

This order is effective today.

Dated JUN 17 1988, at San Francisco, California.

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

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


Victor Weisser, Executive Director