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Decision **88 10 047**

OCT 26 1988

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ORIGINAL

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)

C.86-11-028
(Filed November 17, 1986)

ORDER MODIFYING DECISION 88-07-022

Pacific Bell (Pacific) initially brought this matter to the Commission's attention by way of its Advice Letter 15434. In that Advice Letter Pacific stated that it is "unable to modify its billing system in time to meet the requirements of Ordering Paragraph 77 [of Decision (D.) 88-07-022] with respect to implementation of Discount Options I and II for Centrex Station-Controlled Feature Packages A and B" of the Centrex rate design which this Commission adopted. Pacific therefore requested that the implementation date be extended from the September 6, 1988 date required by Ordering Paragraph 77 to December 1, 1988. In Resolution No. T-13018, issued on August 24, 1988, we found that the Advice Letter was an improper vehicle for seeking to change a Commission decision and we found that Pacific's proposal to delay implementation of these Discount Options would negatively affect users. Therefore we concluded that such request should be made via a Petition for Modification and that in the meantime Pacific should track and refund any amount it overcollected due to the delay.

On September 2, 1988, Pacific filed a Petition for Modification of D.88-07-022 making the same request for an extension of the implementation date for these Centrex Feature Discounts from their present effective date of September 6, 1988 to December 1, 1988. The Petition proposes tracking and refunding any amount overcollected due to the delay in implementation beyond September 6, 1988, in keeping with Resolution No. T-13018.

We are satisfied from the affidavit which accompanied Pacific's Petition for Modification that timely implementation is not feasible and that a December 1, 1988 implementation date is reasonable, so long as Pacific tracks and refunds any overcollection. By this tracking process Pacific shall determine which customers have actually been overcharged and refund the overcharges to those specific customers.

Therefore, IT IS ORDERED that Pacific Bell's Petition for Modification is granted to the extent that the second sentence of Ordering Paragraph 77 of D.88-07-022 is amended to read:

"The effective date of the revised tariff sheets shall be 60 days after the effective date of this order, except that the effective date for implementation of Discount Options I and II for Centrex Station-Controlled Feature Packages A and B shall be extended to December 1, 1988 provided that Pacific tracks the amount of overcollections from the normal effective date to the December 1, 1988 extended implementation

date and refunds these overcollected amounts to the customers so charged."

Because the original implementation date has already passed this order is effective today.

Dated OCT 26 1988, at San Francisco, California.

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

Commissioner G. Mitchell Wilk
being necessarily absent, did
not participate.

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

[Handwritten Signature]
V. W. W. W., Executive Director
DB