

Decision 88 10 050 OCT 26 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Fresno Cellular Telephone Company
to increase its basic rates for
cellular radio telecommunications
services.

SEP 23 1988

Application 88-08-021
(Filed August 12, 1988)

And Related Matters.

Application 88-08-022
Application 88-08-023
Application 88-08-024
Application 88-08-025
Application 88-08-026
(Filed August 12, 1988)

ORDER OF DISMISSAL

Each of the six applicants to this consolidated proceeding sought rate increases by way of filing Advice Letters pursuant to the Commission's General Order 96-A. This Commission determined that the Advice Letter procedure was inappropriate at the present time. The requests were therefore refiled as formal applications.

A Prehearing Conference was set for September 7, 1988 in Sacramento. However, shortly before the hearing date each of the parties notified the Commission of its desire to withdraw its application. Only Sacramento-Valley Limited Partnership and PacTel Mobile Services gave reasons for their withdrawals. Both stated that "the issues of resale viability, retail margins and the appropriateness of establishing a market price should be addressed by the Commission in the forum of the future OII of the entire cellular industry and not in connection with a specific carrier's rate application." While such a proceeding may be ordered at a future date, no such OII (Order Instituting Investigation) has been issued at this time. However, since these companies do not appear

A.88-08-021 et al. ALJ/AC/fs

to condition their withdrawals on such a future contingency, there appears to be no impediment to the dismissal of these applications.

IT IS ORDERED that Application (A.)88-08-021, A.88-08-022, A.88-08-023, A.88-08-024, A.88-08-025, and A.88-08-026 are dismissed without prejudice, effective today.

Dated OCT 26 1988, at San Francisco, California.

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

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

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

Victor Weiss
Victor Weiss, Executive Director