

Decision 89 05 002

MAY 4 1989

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
 Wang Communications, Inc., and)
 Associated Communications of Los)
 Angeles, Inc., pursuant to Public)
 Utilities Code Sections 851 and 854)
 for authority to transfer certain)
 assets used in transferor's)
 telephone network in the State of)
 California.)

Application 89-03-044
(Filed March 27, 1989)

OPINION

This decision grants the joint application of Wang Communications, Inc. (Wang) and Associated Communications of Los Angeles, Inc. (Associated) for transfer of certain of Wang's assets to Associated. The application was filed on March 27, 1989. Copies of the application were sent to carriers with which applicant's services compete and to the state's local exchange companies. No protests to the application have been received; therefore, a public hearing is not necessary.

Wang is a certificated carrier with statewide authority to provide inter and intraLATA high speed digital private line service in California, pursuant to Decision (D.) 85-12-042 and D.89-02-020. It seeks authorization to sell to Associated the rights and properties necessary to continue its business in California. Those assets include equipment, Federal Communications Commission licenses, customer agreements, and records. Associated will not purchase Wang's cash or receivables and will not assume Wang's liabilities.

Associated is a publicly held corporation providing a variety of telecommunications services in New York, Pennsylvania, and California. It seeks authority to purchase certain of Wang's California assets.

The joint application states the transfer will permit needed expansion of Wang's operations for which Associated has the expertise, desire, and financial capability. The application requests an ex parte order signed by the Executive Director.

Because the proposed transfer involves only the purchase of existing property, and the application does not propose any new construction or relocation of Wang's facilities, it can be seen with certainty that the proposed transfer will not have an adverse impact on the environment.

Additionally, Associated does not propose changes to the territories, tariffs, or services provided for in Wang's authority.

D.86-08-057, modified by D.87-10-035, delegated authority to the Executive Director to grant noncontroversial applications by nondominant carriers for authority to transfer assets or control under Public Utilities (PU) Code §§ 851-855. This application has not been protested. Associated has the capability to operate Wang's California operations, and Wang is a nondominant telecommunications carrier. Accordingly, the application should be granted and Executive Director is within his authority to grant it.

Findings of Fact

1. Wang is a nondominant telecommunications carrier providing inter and intraLATA high speed digital private line services in California.
2. Associated wishes to purchase certain of Wang's California assets and California operating authority.
3. Associated has the financial capability and expertise to manage Wang's California operations.
4. No protest to this application has been filed.

Conclusions of Law

1. D.86-08-057, modified by D.87-10-035, delegated authority to the Executive Director to grant applications filed by nondominant telecommunications carriers for transfers of assets or control under PU Code §§ 851-855.

2. Because this application was filed by a nondominant carrier and is noncontroversial, it should be granted.

3. This authority is not a finding of value of the rights and properties to be transferred.

ORDER

IT IS ORDERED that:

1. On or after the effective date of this order, Wang Communications, Inc. (Wang) may transfer to Associated Telecommunications, Inc. (Associated) the operating authorities and operating properties for telecommunications service described in this application, and in accordance with the terms of the application.

2. The authority granted in Ordering Paragraph 1 shall be conditioned upon Wang and Associated demonstrating to the Commission Advisory and Compliance Division Director in writing that Federal Communications Commission authority for the transfer has been transferred to Associated.

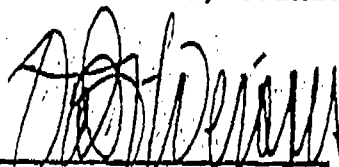
3. Wang and Associated shall inform the Commission Advisory and Compliance Division Director in writing of the actual transfer date as authorized herein, within 5 days after the transfer is completed. A copy of the transfer documents shall be attached.

4. The corporate identification number assigned to Associated is U-5175-C, and should be included in the caption of all original filings with this Commission, and in the titles of other pleadings in existing cases.

5. The authority granted in Ordering Paragraph 1 will expire if not exercised within 12 months after the effective date of this order.

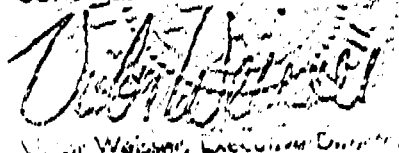
This order is effective today.

Dated MAY 4 1989, at San Francisco, California.



VICTOR WEISSNER
Executive Director

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



Victor Weissner, Executive Director