

JUN 21 1989

ORIGINAL

Decision 89-06-035 June 21, 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of General Telephone Company of California, a corporation, for authority to increase certain intrastate rates and charges for telephone service.

Application 83-07-02 (Filed July 1, 1983)

And Related Matter.

OII 83-08-02 (Filed August 3, 1983)

OPINION

On April 27, 1989 Pacific Bell (Pacific) filed a motion on behalf of the Industry Centralized Credit Check System Committee (Committee) to clarify Ordering Paragraph 2 of Decision (D.) 85-03-017 (decision).

Ordering Paragraph 2 of the decision authorized the Committee to conduct a centralized credit check system (CCCS) trial to last at least two years but no more than a maximum of three years from the date the CCCS trial is brought on line. If the Committee elects to continue CCCS beyond the trial period, the CCCS vendor is to be chosen by competitive bids (D.85-03-017, Ordering Paragraph 2).

When the motion was filed, the Committee was deliberating the impacts of the CCCS trial and intended to vote on whether to continue the CCCS on a permanent basis by May 31, 1989.

If the Committee decides to continue the CCCS on a permanent basis, the Committee will seek a CCCS vendor through the competitive bid process. However, because the three-year trial period ends on May 31, 1989, the Committee would continue operating the CCCS with the trial period vendor until the competitive bid process is completed, approximately 180 days after May 31, 1989.

Assuming CCCS is to continue beyond May 31, 1989, Pacific, on behalf of the Committee, requests that we confirm the propriety of the Committee's plan to retain the existing CCCS vendor after May 31, 1989 until a vendor is selected via competitive bidding.

Pacific's motion does not seek a modification of D.85-03-017. Rather it seeks a declaratory opinion on whether the Committee's proposed procedure is "consistent" with Ordering Paragraph 2 of the decision. Since the Commission does not accord declaratory relief by the issuance of an advisory opinion, the motion should be dismissed without prejudice.

Findings of Fact

1. Pacific, on behalf of the Committee, filed a motion to clarify whether the Committee is in compliance with Ordering Paragraph 2 of D.85-03-017.
2. Ordering Paragraph 2 requires the CCCS trial period to end on or before May 31, 1989.
3. The Committee planned to decide whether to continue the CCCS on a permanent basis by May 31, 1989.
4. The Committee plans to retain the vendor selected for the trial period until a new vendor is selected if the Committee continues the CCCS on a permanent basis.
5. This Commission does not issue declaratory orders.

Conclusion of Law

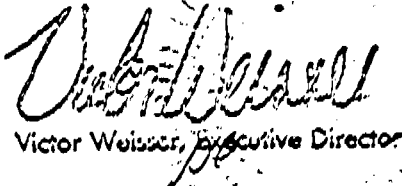
Pacific's motion should be dismissed without prejudice because Pacific is seeking a declaratory opinion which the Commission does not issue.

ORDER

IT IS ORDERED that Pacific Bell's motion is dismissed.
This order is effective today.
Dated June 21, 1989, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

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


Victor Weisser, Executive Director

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The Committee is currently deliberating the impacts of the CCCS trial and intends to vote on whether to continue the CCCS on a permanent basis by May 31, 1989.

If the Committee decides to continue the CCCS on a permanent basis, the Committee will seek a CCCS vendor through the competitive bid process. However, because the three-year trial period ends on May 31, 1989, the Committee would continue operating the CCCS with the trial period vendor until the competitive bid process is completed, approximately 180 days after May 31, 1989.

Assuming CCCS is to continue beyond May 31, 1989, Pacific, on behalf of the Committee, requests that we confirm the propriety of the Committee's plan to retain the existing CCCS vendor after May 31, 1989 until a vendor is selected via competitive bidding.

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