

D90-01-001

A 89-09-035

DECISION NO. \_\_\_\_\_ CASE NO. \_\_\_\_\_ APP. NO. \_\_\_\_\_

Decision 90 01 001 JAN 03 1990

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Ameritel, Inc.  
(U-5001-C) to transfer, and Napa  
Valley Telecom Services (U-5044-C)  
to acquire, pursuant to Public  
Utilities Code Section 851 certain  
assets of Ameritel, Inc.

Application 89-09-035  
(Filed September 25, 1989)

O P I N I O N

This is a joint application by Ameritel, Inc. (Ameritel) and Napa Valley Telecom Services (Napa Valley). Napa Valley has agreed to purchase the bulk of Ameritel's assets, including Ameritel's customer base and use of Ameritel's trade name and logo. Pursuant to the agreement, Napa Valley will acquire all of Ameritel's current customers and will provide to them precisely the same long distance telephone services that they have heretofore received from Ameritel.

Applicants allege that the transfer is in the public interest. Customers of Ameritel, once transferred to Napa Valley, will continue to receive comparable service, but will benefit from the fact that Napa Valley's rates are slightly lower than those of Ameritel. Further, by adding a substantial number of customers to its existing customer base, Napa Valley will be able to enjoy certain economies of scale that will ultimately benefit all of its customers. In the short run, transferred customers will experience no perceptible changes, and there will be no disruption of service. Since Napa Valley will continue to use "Ameritel" as a fictitious business name, the proposed transfer will be virtually unnoticeable, except to the extent that rates will be lower in some instances for certain of Ameritel's customers. In the long run, Napa Valley may choose to discontinue its use of the Ameritel

name, but this cosmetic change will allegedly have no negative impact on the quality of service to the customers.

On August 18, 1986 the Commission issued Decision 86-08-057 which authorized and directed the Executive Director to grant non-controversial applications by nondominant interexchange carriers for the transfer of assets or control under Public Utilities Code §§ 851 through 855. Applicants request that, pursuant to the terms of that decision, this application be granted by order of the Executive Director.

Findings of Fact

1. This applicant was noticed by filing in the Commission's Daily Calendar. No protests have been received.
2. The application will have no perceptible impact on customers of either applicant except that some customers of Napa Valley may be served at reduced rates.
3. The purchase is not adverse to the public interest.

Conclusions of Law

1. The application should be granted without hearing.
2. The Executive Director is authorized to decide this application.

O R D E R

IT IS ORDERED that:

1. Ameritel, Inc. (Ameritel) may sell and Napa Valley Telecom Services (Napa Valley) may purchase the assets described in the application.
2. Napa Valley shall:
  - a. File a written acceptance of the objections imposed by Ameritel's certificate and tariffs and a copy of all bills of sale or other documents of transfer.
  - b. Cancel Ameritel's tariffs and amend its own to offer service to all customers at its own rates.

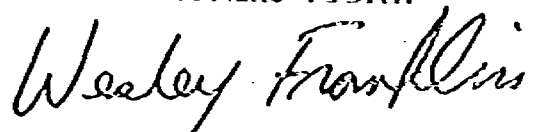
c. File an annual report on behalf of  
Ameritel.

This order is effective today.

Dated JAN 03 1990, at San Francisco, California.

  
KENNETH K HENDERSON  
Acting Executive Director

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

  
WESLEY FRANKLIN, Acting Executive Director