

Mailed

Decision 91-03-042 March 22, 1991

MAR 22 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
on the Commission's own Motion of)
tariffs of Twentieth Century Cellular,)
Inc., (U-4071-C), to offer cellular)
mobile radiotelephone service under)
a program providing for rebates, at)
the customer's option and company's)
discretion, as service credits or as)
a voucher for services or equipment)
by the company's agent, Leo's Stereo;)
filed under Advice Letters Nos. 21,)
22, 23, 24, 25, and 26.)

ORIGINAL

I.90-11-032

(Filed November 21, 1990)

ORDER GRANTING MOTION TO DISMISS INVESTIGATION 90-11-032

Order Instituting Investigation (I. or investigation) 90-11-032 was issued on November 21, 1990, to examine tariffs filed by Twentieth Century Cellular, Inc. (Twentieth Century) that offered cellular mobile radiotelephone service under a plan providing for \$100 in service credits or rebate for service or equipment purchased from the company's agent, Leo's Stereo.

The tariffed plan was filed on July 17, 1990, under Advice Letters 21, 22, 23, 24, 25, and 26.

On December 13, 1990, Twentieth Century filed tariffs eliminating the use of the Leo's Stereo voucher as a form of payment of the \$100 promotional rebate offered by Twentieth Century.

As a result of this action, the Commission Advisory and Compliance Division (CACD) on January 31, 1991, filed a motion to dismiss I.90-11-032 on the grounds that the investigation is no longer necessary and should be dismissed. The Commission has received no objection to the motion to dismiss.

Findings of Fact

1. This investigation was issued on November 21, 1990, to examine tariffs filed by Twentieth Century that offered cellular service under a plan providing for \$100 in service credits or rebate for service or equipment purchased from the company's agent, Leo's Stereo.

2. On December 13, 1990, Twentieth Century filed tariffs eliminating the use of the Leo's Stereo voucher for a \$100 rebate offered by Twentieth Century.

3. On January 31, 1991, CACD moved to dismiss this investigation on grounds that further investigation is no longer necessary.

4. No objection to the motion to dismiss has been received by the Commission.

5. No purpose is served by delaying the effectiveness of this order. Therefore, the order should be effective immediately.

Conclusion of Law

This investigation should be dismissed.

IT IS ORDERED that Order Instituting Investigation 90-11-032 is dismissed.

This order is effective today.

Dated March 22, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN B. OHANIAN
DANIEL WM. FESSLER
NORMAN D. SHUMWAY
Commissioners

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


NEAL J. SHULMAN, Executive Director