

L/lkw

Decision 91-04-032 April 10, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

The Department of Defense and the )  
other Federal Executive Agencies, on )  
behalf of Castle Air Force Base, )  
California, )

Complainants, )

vs. )

Pacific Bell (U-1001-C), )

Defendant. )

**ORIGINAL**

Case 89-04-044  
(Filed May 24, 1989)

ORDER MODIFYING DECISION 90-12-099  
AND DENYING REHEARING

Pacific Bell (Pacific) has filed an application for rehearing of Decision (D.) 90-12-099. We have considered all of the allegations of error raised in this application. Although we have concluded that the application for rehearing should be denied, we believe that the decision should be modified as set forth in the attached revised pages to D.90-12-099.

THEREFORE, for good cause appearing,

IT IS HEREBY ORDERED:

1. That D.90-12-099 is modified as follows:

(a) In the second full sentence of the third full paragraph on page 2, the words "intrabuilding network cable (INC) which serves the function of" are inserted immediately before the words "intrasystem wire," and the quotation marks surrounding the words "intrasystem wire" are deleted.

(b) In the third sentence in the first full paragraph on page 4, the words "intrasystem wire," "intrasystem wires," and "wire" are replaced by the word "INC."

(c) In the first sentence in the first full paragraph on page 6, the word "wire" is replaced with the word "INC."

(d) The second sentence in the first full paragraph on page 6 is deleted.

(e) The second, third and fourth full paragraphs on page 6 are deleted, and replaced by the following:

"If it wishes, DOD may purchase the INC pursuant to Tariff A2, Sections 2.1.16.B.4. and 2.8.1. DOD is, of course, also free to decline to purchase the INC."

(f) Finding of Fact 2, on page 6, is replaced by the following:

"Pacific owns the INC which will be located on DOD's side of the AT&T replacement switch and used as intrasystem wire."

(g) Finding of Fact 13, on page 7, is replaced by the following:

"The USOAR requires that when depreciable operating telecommunications plant is sold, the accumulated depreciation account associated with telecommunications plant in service be charged with the original cost of the property retired plus the cost of removal and credited with the salvage value (sales proceeds) and any insurance proceeds recovered."

(h) Finding of Fact 14, on page 7, is replaced by the following:

"There are a number of citation errors in Pacific's wire sale tariffs. For example, Tariff A2, Section 2.1.16.B.4.a. refers to A2.2.8.10 where it should refer to A2.2.8.1, and Sections 2.8.1.B.5. and 2.8.1.E.3.b.

refer to A2.2.13 where they should refer to A2.2.3.1."

(i) Conclusions of Law 1 and 2 are replaced by the following:

"1. Pacific should offer for sale to DOD all INC located on DOD's side of the switch upon AT&T's replacement of the grandfathered switch with a new switch.

2. INC recorded in USOAR Account 2426 should be priced in accord with Tariff A2, Sections 2.1.16.B.4. and 2.8.1.

3. Any proceeds from the sale of INC to DOD should be recorded as salvage value in the appropriate above the line accumulated depreciation account in accord with the requirements of the USOAR.

4. Citation errors in Pacific's wire sale tariffs should be corrected.

5. Pacific Bell's Motion for Leave to Accept Pacific Bell's Response to Complainant's Response to Pacific Bell's Application for Rehearing of Decision 90-12-099 should be dismissed."

(j) Ordering Paragraphs 1 and 2 are replaced by the following:

"1. Pacific Bell shall apply Tariff A2, Sections 2.1.16.B.4. and 2.8.1. to the INC on DOD's side of the replacement AT&T switch at Castle Air Force Base.

2. Any proceeds from the sale of INC to DOD shall be recorded as salvage value in the appropriate above the line accumulated depreciation account in accord with the requirements of the USOAR.

3. Pacific Bell shall review and revise its tariffs applicable to the sale of wire to correct all citation errors and shall submit

revised tariffs consistent with Conclusion of Law 4 for approval within 180 days of the effective date of this order.

4. Pacific Bell's Motion for Leave to Accept Pacific Bell's Response to Complainant's Response to Pacific Bell's Application for Rehearing of Decision 90-12-099 is dismissed."

2. That rehearing of D.90-12-099 is denied.

3. That the Executive Director should serve a copy of this decision on the parties to C.89-04-044.

This Order is effective today.

Dated April 10, 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. SPELMAN, Executive Director  
PB