

Mailed

SEP 9 1991

Decision 91-09-018 September 6, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CITIZENS UTILITIES COMPANY)
 OF CALIFORNIA (U 87 C),)
)
 Complainant,)
)
 vs.)
)
 WESTCOM LONG DISTANCE, INC.)
 (U 5163 C),)
)
 Defendant.)

ORIGINAL

Case 89-08-035
(Filed August 22, 1989)

ORDER OF DISMISSAL

On November 21, 1989, complainant Citizens Utilities Company of California (Citizens) filed a Motion for Adoption of Settlement Agreement Dated October 17, 1989 (Motion). The Settlement Agreement resolves all issues in the above captioned proceeding. Since complainant Citizens and defendant Westcom Long Distance, Inc. (Westcom) are the only parties to this proceeding, no settlement conference is necessary pursuant to Rule 51 of the Commission's Rules of Practice and Procedure.

The Motion argues that the proposed Settlement Agreement is in the public interest because it provides clarification of Westcom's advertising and customer relations practices, i.e., that Westcom will not solicit intraLATA business nor hold itself out as an intraLATA carrier. The Settlement Agreement maintains that the public will further be served by Westcom's agreement to notify customers that intraLATA calls should be placed through Citizens.

We agree that the Settlement Agreement is in the public interest and should be adopted as a condition of dismissal of this complaint.

Findings of Fact

1. Citizens and Westcom filed a Motion for Adoption of Settlement Agreement Dated October 17, 1989.
2. The Settlement Agreement resolves all issues in this proceeding.

Conclusions of Law

1. The Settlement Agreement is in the public interest and should be adopted.
2. This case should be dismissed.

IT IS ORDERED that:

1. Case 89-08-035 is dismissed.
2. The Settlement Agreement dated October 17, 1989 between Citizens Utilities Company of California and Westcom Long Distance, Inc. is adopted.

This order becomes effective 30 days from today.

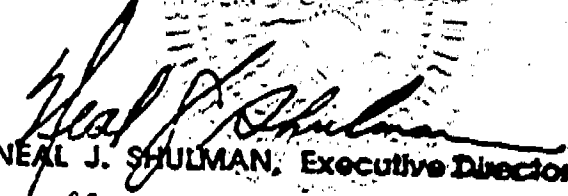
Dated September 6, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

I abstain.

/s/ G. MITCHELL WILK
Commissioner

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


NEAL J. SHULMAN, Executive Director