

Mailed

SEP 9 1991

Decision 91-09-022 September 6, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Elsy McLure, )  
 )  
 Complainant, )  
 )  
 vs. )  
 )  
 Pacific Bell, )  
 )  
 Defendant. )

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**ORIGINAL**

(ECP)  
Case 91-03-042  
(Filed March 20, 1991)

Elsy McLure, for herself, complainant.  
Adrian M. Tyler and Greg Ryan, for Pacific Bell,  
defendant.

ORDER

This complaint was brought pursuant to Rule 13.2 of the Rules of Practice and Procedure and Public Utilities Code § 1702.1, governing the Expedited Complaint Procedure. A public hearing was held before Administrative Law Judge Orville I. Wright in Los Angeles on June 26, 1991, and the matter was submitted. Elsy McLure (McLure) and her son, Raymond McLure, testified for complainant. Grey Ryan testified on behalf of defendant.

Complainant estimates that defendant owes her about \$500 by reason of problems she has had with Pacific Bell for more than three years. McLure states that she (1) has been charged many times over past years for local calls she did not make; (2) has been charged for 976 prefix calls neither she nor her son has made; (3) has not been given credit for all the payments she has made to defendant; and (4) has not been credited by Pacific Bell for credits she has been promised by AT&T. Because of the many problems she has had and continues to have with defendant, McLure has come to believe that either some Pacific Bell employee or some other person is using her telephone; she requests the Commission

institute an investigation to determine the cause of her difficulties.

Defendant's Manager of Customer Services has been responding to McLure's complaints since April 1987. Since that time, Pacific Bell has completed five thorough equipment checks on complainant's line, including central office wiring, finding no trouble. As the complaints continued, defendant changed McLure's number several times and changed all central office wiring and equipment associated with providing dial tone to complainant's residence. All adjustments promised and all payments made have been properly credited to McLure's account, according to the testimony.

At the hearing, a review of all of McLure's bills and checks showed that, contrary to McLure's allegations, Pacific Bell had given proper credit to McLure for (1) all payments she made to defendant, and (2) all credits promised by AT&T. In addition, the telephone billings showed that complainant has been given courtesy credits for disputed 976 calls and for local calls McLure claims not to have made in the cumulative amount of \$58.30 in addition to AT&T generated adjustments.

While all of the physical evidence shows that no further sums are due to McLure, the customer continues to insist that her allegations are true. In these circumstances, we must concur with defendant that all action that could reasonably be expected to be taken by Pacific Bell has been taken.

IT IS ORDERED that the complaint is denied and this matter is closed.

This order is effective today.

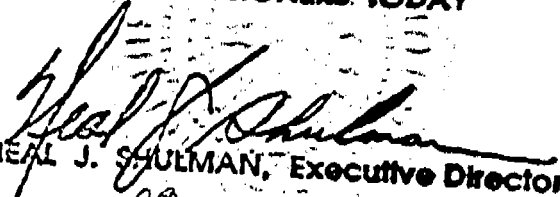
Dated September 6, 1991, at San Francisco, California.

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  
PB