

L/rys

Decision 91-09-084 September 25, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's )  
own motion into the Rules, Practices, )  
and Procedures of all telephone )  
corporations as listed in Appendix A )  
attached to the O.I.I. concerning the )  
billing of subscribers for telephone )  
calls. )  
\_\_\_\_\_ )

**ORIGINAL**

R.85-09-008  
(Filed September 5, 1985)

ORDER DENYING REHEARING OF DECISION 91-04-069

MCI Telecommunications Corporation (MCI) has filed an application for rehearing of Decision (D.) 91-04-069. We have reviewed all of the allegations of legal error raised in that application and are of the opinion that insufficient grounds have been raised to warrant granting rehearing.

The challenged decision concluded that to fulfill the requirements of Public Utilities Code § 766.5, all IECs should inform their customers of their billing procedure for uncompleted calls at least once a year, either through bill inserts or on the customer's bill.

We reiterate, upon reconsideration, that this conclusion is consistent with the strict language of Section 766.5. As stated therein, in relevant part:

"If the commission finds that any corporation does not have the capability of determining in every instance whether a call placed by a subscriber was completed, the commission shall require the corporation to furnish written notice, in a form and manner approved by the commission, to its subscribers of its billing practices..."

As the Commission concluded in Finding of Fact No. 8:

"8. All respondent carriers have notified the Commission that it is impossible to assure that in every instance a call has or has not been completed."

Accordingly, the notice provisions of § 766.5 apply.

THEREFORE, IT IS ORDERED that rehearing of D.91-04-069 is hereby denied.

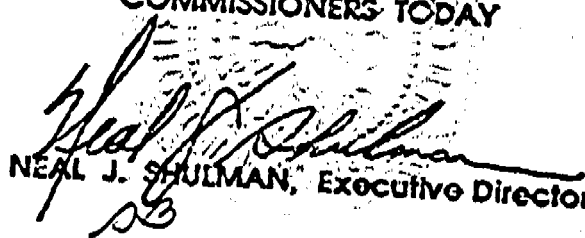
This order is effective today.

Dated September 25, 1991, at San Francisco, California.

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

Commissioner G. Mitchell Wilk  
being necessarily absent, did  
not participate

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

  
NEAL J. SHULMAN, Executive Director