

L/CAD/lrq

Decision 91 10 056

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
own motion into the regulation of
cellular radiotelephone utilities.

) I.88-11-040
) (Filed November 23, 1988)

And Related Matters.

) Application 87-02-017
) (Filed February 6, 1987)

Defendant.

) Case 86-12-023
) (Filed December 12, 1986)

ORDER CORRECTING MINISTERIAL ERROR

On October 11, 1991, in Decision (D.)91-10-025, the Commission denied the application of California Resellers' Association (CRA) for rehearing of D.91-06-054. However, due to a printer error, part of the text on page 2 of that decision was not reproduced in the copy we distributed. This order will correct that error. Attached hereto is a copy of page 2 of D.91-10-025 showing the complete text. Under Resolution A-4661,

IT IS ORDERED that D.91-10-025 be amended by substituting the attached page 2 for the page 2 which was distributed.

This order is effective today.

Dated OCT 29 1991, at San Francisco, California.

Neal J. Shulman/WF
Neal J. Shulman
Executive Director

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

Neal J. Shulman
NEAL J. SHULMAN, Executive Director
JB

facilities-based carriers and resellers may provide collecting and billing services for volume users' individual subscribers and to any carrier or reseller on a direct cost basis.

CRA has applied for rehearing on grounds that Ordering Paragraph 18 "does not modify but conflicts with" the earlier Decision allowing volume usage, and that Ordering Paragraph 3 is "infirm" and should be modified to require carriers to cost-justify all such billing and collection services publicly in advice letters "so that any interested member of the public as well as CRA and its members can analyze and comment on the cost data provided." Application, pp. 2-7.

In our discussion of the volume-user issue in D.90-06-025, we included the following paragraph on page 34:

In this decision we are developing a procompetitive policy that offers the ability to make available margins from buying in bulk and reselling individually. We prefer to see bulk-user tariffs conditioned not by the characteristics of the purchaser, but by the particular business functions the purchaser is willing to assume (such as credit guarantees or billing). However, the ability for a customer to seek redress before the Commission is one characteristic of a reseller-provided service that is not necessarily present in a bulk-user arrangement. To date, various restrictions have limited the use of bulk-user tariffs; however, this decision may permit a substantial expansion of such service and its potential for leaving customers without recourse to the Commission.

CRA bases its entire application for rehearing of Ordering Paragraph 18 issues on the single sentence emphasized above, arguing that "volume users are to be allowed discounted rates because they assume the business functions such as credit guarantees and billing." Thus, CRA says, "the very reason for this discounted purchase has been obliterated [by D.91-06-054] because the facilities-based carrier or reseller, not the volume purchaser, is performing these functions." Application, p. 2.