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Decision 92-12-072 December 16, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

And Related Matter.

ORIGINAL

1.88-11-040

(Filed November 23, 1988)

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

ORDER EXTENDING STAY

McCaw Cellular Communications, Inc.; Los Angeles Cellular Telephone Co.; Fresno MSA Limited Partnership with Contel Cellular of California, Inc., California RSA No. 3 Limited Partnership and California RSA No. 4 Limited Partnership; PacTel Cellular and its affiliates, Los Angeles SMSA Limited Partnership and PacTel Mobile Services; Bay Area Cellular Telephone Company; GTE Mobilnet of California Limited Partnership with GTE Mobilnet of Santa Barbara Limited Partnership; Sacramento-Valley Limited Partnership; Bakersfield Cellular Telephone Company; and U.S. West Cellular of California, Inc.; have applied for rehearing of D.92-10-026, each on multiple and different grounds of legal error.

In addition, MCI Telecommunications Corp., Qualcomm, and the Southern California Cellular Resellers' Association (SCCRA) have filed petitions to intervene; Pacific Bell, the Cellular Resellers' Association (CRA), McCaw, Independent Cellular Resellers, Cellular Service, Inc. (CSI), Nationwide Cellular Service, Inc. (Nationwide), and SCCRA have filed responses to the applications for rehearing; and McCaw and SCCRA have filed motions to strike other documents. We have also received errata from McCaw, Qualcomm, and CRA.

Because McCaw's application for rehearing was filed more than ten days before D.92-10-026 would have become effective, the

application triggered a stay of the decision by operation of Public Utilities Code § 1733 (a). McCaw filed its application on October 26, 1992, and the 60 days' stay provided by the statute would accordingly expire on December 26. However, as that date falls on a Saturday, the actual expiration date of the stay will be December 28, 1992.

Due to the large number of filings and the lack of agreement between them as to the grounds of their many allegations of error, we have not yet been able to complete our review of all of the allegations. Accordingly, we will extend the stay of D.92-10-026 during the pendency of the applications, as provided by § 1733 (b) of the Public Utilities Code.

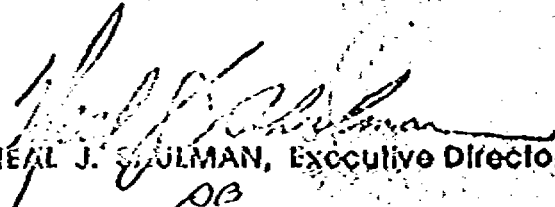
THEREFORE, IT IS ORDERED that the stay of D.92-10-026 is hereby extended until such time as we have been able to act, after full consideration, on the applications for rehearing.

This order is effective today.

Dated December 16, 1992, at San Francisco, California.

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

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


NEAL J. SULMAN, Executive Director
03