

ORIGINAL

Decision 82 06 C10 JUN 2 - 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the Matter of Revision of the Accounting for Station Connections and related Ratemaking Effects and the Economic Consequences of Customer-owned Premise Wiring.

OII 84
(Filed December 2, 1980)

In the Matter of the Application of THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, a corporation, for authority to increase certain intrastate rates and charges applicable to telephone services furnished within the State of California reflecting the passing through to customers increased costs resulting from the Federal Communications Commission decision in Docket No. 79-105.

Application 60510
(Filed May 4, 1981;
amended June 5, 1981)

In the Matter of the Application of CONTINENTAL TELEPHONE COMPANY OF CALIFORNIA, a corporation, for authority to increase certain telephone rates and charges to offset and pass through to customers increased costs resulting from accounting changes ordered by the California Public Utilities Commission.

Application 60602
(Filed May 29, 1981)

Application of General Telephone Company of California to Increase Certain Intrastate Rates and Charges to Offset Changes in Station Connection Accounting Procedures.

Application 60608
(Filed June 2, 1981)

Application of Roseville Telephone Company to Increase Certain Intrastate Rates and Charges to Offset Changes in Station Connection Accounting Procedures.

Application 60706
(Filed July 3, 1981)

Application of Citizens Utilities Company of California to Increase Certain Intrastate Rates and Charges to Offset Changes in Station Connection Accounting Procedures.

Application 60707
(Filed July 3, 1981)

OPINION ON REQUEST FOR
SUSPENSION OF TARIFF FILING REQUIREMENTS

Calaveras Telephone Company, Capay Valley Telephone System, Inc., Dorris Telephone Company, Ducor Telephone Company, Evans Telephone Company, Foresthill Telephone Company, Happy Valley Telephone Company, Hornitos Telephone Company, Kerman Telephone Company, Livingston Telephone Company, Mariposa County Telephone Company, Inc., Pinnacles Telephone Company, Sierra Telephone Company, Inc., The Ponderosa Telephone Company, The Siskiyou Telephone Company, and The Volcano Telephone Company (Smaller Independents) have by petition requested the Commission to modify its Decision (D.) 93728 dated November 13, 1981 under Public Utilities Code § 1708.

All respondent utilities in OII 84 were directed by D.93728 to make tariff filings under Ordering Paragraphs 7 and 10 as follows:

- "7. Respondent utilities shall file within 30 days of the effective date of this order and in accordance with the provisions of General Order Series 96-A a tariff schedule covering customer-provided residential interior wiring similar to the one authorized for Pacific by Resolution T-10346 dated December 30, 1980."

- "10. Respondent telephone utilities shall jointly develop practical industry standards and specifications for customer-provided additions and modifications to existing residential wiring systems. Within 90 days of the effective date of this order, and in accordance with the provisions of General Order No. 96-A, the respondent telephone utilities shall file tariff schedules which include these standards and specifications for customer-provided additions and modifications to existing residential interior wiring systems, with the tariff schedules effective 30 days after filing."

The Smaller Independents request suspension of the tariff filing requirements of these ordering paragraphs alleging the following in support of the request:

1. No single set of industry standards and specifications has been developed.
2. Serious liability attaches to the entire subject of "do-it-yourself" wiring, requiring more time to develop and disseminate adequate safety standards and warnings pertaining to customer-provided additions and modifications.
3. The U.S. Department of Agriculture, Rural Electrification Administration (REA), has advised the Smaller Independents of REA's concern with the apparent lack of suitable hardware for installation of interface jacks with outdoor access and of other possible areas of concern.

The Smaller Independents claim that the record in these consolidated proceedings, of which OII 84 is now a part, contains no evidence concerning adequate safety standards, hazard warnings, and the legal liability issue. Their belief is that the tariff filing requirements in question should be suspended until a record is developed in Phase II of the OII 84 hearings to support specific findings, conclusions, and orders on these issues.

No protests to this petition have been received.

We note that both The Pacific Telephone and Telegraph Company (Pacific) and General Telephone Company of California (General) have filed tariffs with this Commission which are in compliance with Ordering Paragraphs 7 and 10. Pacific has filed revisions to their Schedule Cal. P.U.C. No. 160-T which incorporate the new Ordering Paragraph 10 material.

With respect to the three main points raised by the petitioner we note that:

1. Pacific and General have found no particular difficulty in using the material which was disseminated by the Communications Division (CD) on January 19, 1982, as a model for a filing in compliance with Ordering Paragraph 10. Our reference therein to "standards and specifications" is primarily directed at the technical content, rather than the administrative aspects. Accordingly, we believe adequate "standards and specifications" do in fact exist, albeit they were prepared by the CD staff and not the utilities. It is not our intent to force a single complete schedule which accommodates all possible variations in local situations of the 25 utilities.
2. The issue of adequacy of safety standards and attendant liability problems is legitimate. CD has included numerous provisions in its model tariff which are cautionary or which establish specific minimum standards; conformance to building codes and to Article 800 of the National Electrical Code is also required. We consider the model tariff provisions to be sufficient in most circumstances, but a utility may propose to include additional protective language in its tariffs. Similarly, the petitioner may present evidence in our further hearings pertaining to safety and liability, and we can then expand our minimum requirements according to the evidence adduced.

3. The matter of possible degradation of service originating with corrosion problems in outdoor interface points has been resolved in the CD model tariff. Respondents' attention is directed to paragraph 4.b. of the model tariff, which clearly specifies an interface point "inside the premises." We recognize the previous record in this matter could support the concept of an outdoor installation, or one accessible from outside, but we did not specifically order such a procedure to be instituted. The situation hypothesized by REA wherein a subscriber might undertake to wire directly to the protector cannot arise under the model tariff.

We believe the respondent utilities have sufficient guidance to prepare and file a tariff responsive to Ordering Paragraphs 7 and 10 of D.93728 because the model tariff may be amended to suit individual utility needs. Accordingly, we will not order an indefinite suspension of our previous order but will grant a reasonable extension of time to permit compliance.

Findings of Fact

1. The Communications Division of the Commission staff has prepared and distributed a model tariff for customer provision of additions to residential premises wiring.
2. Pacific and General have filed tariffs which comply with Ordering Paragraphs 7 and 10 of D.93728.
3. The standards and specifications in the model tariff are sufficient to permit initial filings by the remaining respondent utilities in compliance with Ordering Paragraphs 7 and 10 of D.93728.
4. Respondent utilities can include additional provisions concerning liability and safety matters in tariffs filed under this order.
5. The adopted practice regarding the "demarcation point" or "standard network interface" is placement at an interior location.
6. Respondent utilities who have not filed tariffs in compliance with Ordering Paragraphs 7 and 10 of D.93728 should do so within 30 days from the effective date of this order.

Conclusions of Law

1. The tariff filing requirements of Ordering Paragraphs 7 and 10 of D.93728 should not be suspended indefinitely pending further hearings.

2. Extension of the previously ordered filing dates to a date 30 days from the effective date of this order is reasonable.

O R D E R

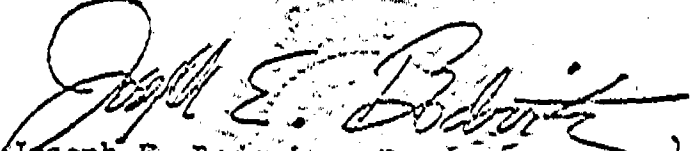
IT IS ORDERED that the tariff filing dates in Ordering Paragraphs 7 and 10 of D.93728 are extended to 30 days from the effective date of this order. The tariff schedules shall be effective 30 days after filing.

This order becomes effective 30 days from today.

Dated JUN 2 1982, at San Francisco, California.

JOHN E. DRYSON
President
RICHARD D. GRAVELLE
LEONARD M. CRIMES, JR.
VICTOR CALVO
PRISCILLA C. GREW
Commissioners

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


Joseph E. Bodovitz, Executive Director