

Decision 83 04 008 'APR 6 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)	
of Pacific Telephone and Telegraph)	
Company to further modify Decision)	Application 83-02-16
93592 to amend Ordering)	(Filed February 8, 1983)
Paragraphs 2, 3, and 4.)	
_____)	

ORDER MODIFYING DECISIONS 93592 AND 82-04-080

In Case (C.) 10948 the Commission suspended and investigated The Pacific Telephone and Telegraph Company's (Pacific) proposed access charge tariff filed under Advice Letter 13822. In Decision (D.) 93592 (October 6, 1981) the Commission rejected the advice letter and accompanying tariff pages and ordered a new advice letter or application to be filed by April 30, 1982, after certain studies had been completed. We also ordered Pacific to provide to the Communications Division monthly reports of the progress of Pacific's studies.

In D.82-04-080 (April 21, 1982) in Application (A.) 82-03-30 we extended Pacific's time to file a new access charge advice letter or application to April 30, 1983, and required quarterly, rather than monthly, reports.

In this application Pacific seeks further modification of the ordering paragraphs of D.93592, as follows:

- a. That paragraphs 2, 3, and 4, as amended, be deleted in their entirety.
- b. That new paragraphs 2, 3, and 4 be added as follows:

- "(2) The Pacific Telephone and Telegraph Company shall, prior to the end of 1983, file an advice letter, application or other appropriate pleading for intrastate access charges applicable to Pacific's services, accounting for necessary adjustments in basic exchange rates and other services, as appropriate.
- "(3) Upon the filing of an intrastate access charge pleading as described in paragraph (2) above, Pacific shall, upon notice to all parties, move the Commission for an order dismissing or consolidating this proceeding (Case No. 10948), with Pacific's intrastate access charge filing, or take such other action as ordered by the Commission to terminate these proceedings.
- "(4) Pacific shall, as of the date of this order, be relieved of all obligations to file quarterly status reports on the progress of its private line usage studies."

Pacific explains that because of developments, both at the Federal Communications Commission (FCC) and in the American Telephone and Telegraph Company divestiture case, Pacific will be filing with the FCC interstate access charge tariffs in 1983 to be effective January 1, 1984. Pacific's filing will address private line access issues.

In addition to its interstate access charge filing, Pacific will, in 1983, file with this Commission an access charge plan for intrastate services. This plan will likewise provide for private line access charges. Pacific is endeavoring to file such a plan as soon as possible, but due to the extreme complexity involved with the filing and the large amount of information yet to be

gathered and collated, Pacific's intrastate access charge filing will not be made prior to April 30, 1983.

Due to the above developments, it is inadvisable and inappropriate for Pacific to file an access charge plan solely for private line services prior to April 30, 1983.

Our staff informs us that because of the developments cited by Pacific the reporting and filing requirements of D.93592, as amended by D.82-04-080, have become entirely moot and should be rescinded.

Findings of Fact

1. The reporting and filing requirements of D.93592, as amended by D.82-04-080, have become moot.

2. There is no opposition to the application. A public hearing is not necessary.

Conclusion of Law

Ordering Paragraphs 2, 3, and 4 of D.93592, as amended by D.82-04-080, should be rescinded as moot in view of developments at the FCC and in the federal courts.

IT IS ORDERED that:

1. Ordering Paragraphs 2, 3, and 4 of D.93592, as amended by D.82-04-080, are rescinded.

2. To the extent not granted by Ordering Paragraph 1 the petition to modify D.93592 is denied.

3. The Executive Director shall cause a copy of this order to be placed in the formal files of C.10948 and A.82-03-30.

This order becomes effective 30 days from today.

Dated APR 6 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

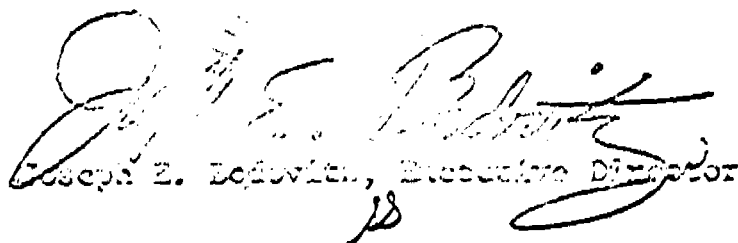
VICTOR CALVO

PRISCILLA C. CREW

DONALD VIAL

Commissioners

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


Joseph E. Lebowitz, Executive Director