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Decision No. 87216

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

HOSPITAL & SERVICE EMPLOYEES UNION,  
LOCAL 399, SERVICE EMPLOYEES  
INTERNATIONAL UNION, AFL-CIO,

Complainant,

vs.

PACIFIC TELEPHONE AND TELEGRAPH  
COMPANY, a corporation,

Defendant.

Case No. 10106  
(Filed May 28, 1976)

ORDER DENYING REHEARING OF DECISION NO. 86943

A petition for rehearing was filed by the Hospital and Service Employees Union, Local 399, Service Employees International Union, AFL-CIO and the Commission, having considered each and every allegation in said petition, is of the opinion that good cause for granting rehearing has not been shown. However, modification of Decision No. 86943 is appropriate to clarify the decision.

THEREFORE, IT IS ORDERED that:

1. Rehearing of Decision 86943 is hereby denied.
2. Finding No. 4 is added to page 7 of Decision 86943 to read:

"Pursuant to Section 1559 of the Civil Code, affected employees of the supplier may pursue a proper remedy against the supplier as third party beneficiaries of the contract between supplier and Pacific."

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 12<sup>th</sup> day of  
APRIL, 1977.

Robert Babin  
President

William J. ...

... Sturgeon

...

Richard D. ...  
Commissioners