

Decision No. 87430

June 7, 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rejane Drobey,

Complainant,

vs.

The Pacific Telephone and
Telegraph Company,

Defendant.

Case No. 10257
(Filed February 3, 1977)

O P I N I O N

Complainant testified she had a telephone in her apartment with extensions in an office and answering service. On May 26, 1976 she advised defendant she was moving and was told she could continue with the same number and extensions at her new apartment. Her service was not installed until July 26 and she then discovered that she was not included in either the white or the yellow pages of the new (1977) telephone directory. She testified that the period without telephone service and omitting her name from the new telephone directory has seriously affected her business, since she is a real estate broker and cannot operate without communication and advertising. She requests damages for loss of business plus reparations.

Defendant's records list complainant's phone as disconnected on June 8, 1976; the closing date for entry in the 1977 telephone directory was June 25, 1976. Complainant's telephone was not reconnected until July 26, although it was in operation from June 8 to 28, due to an error in defendant's records. It was actually disconnected on June 28.

Defendant has agreed to reimburse complainant as provided in The Pacific Telephone and Telegraph Company Schedule Cal. P.U.C.

No. 36-T, Rule No. 14, Limitation of Liability, 4th Revised Sheet 56 and 2nd Revised Sheet 57-D, as follows: A sum equal to the cost of installing the answering service (\$18.00) and the off premises extension (\$26.00); along with the entire cost of complainant's exchange service for the life of the San Francisco Directory. The adjustment totals \$262.05.

Pursuant to Rule 13.2 of the Commission's Rules of Practice and Procedure, complainant and defendant consented to the Expedited Complaint Procedure and waived the presence of a court reporter and a record of the hearing and findings of fact and conclusions of law. This matter was heard on May 6, 1977 by Examiner Fraser. We have no jurisdiction to award damages for loss of business; we will award reparations.

O R D E R

IT IS ORDERED that defendant shall pay the sum of \$262.05 to the complainant in satisfaction of this complaint.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 7th day of JUNE, 1977.

Robert Batimich
President
William J. Fraser
Vernon L. Sturgeon
Richard D. Kwock

Commissioners