

Decision No. 89581 | OCT 31 1978

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

NATIONAL COMMUNICATIONS CENTER CORPORATION, dba THE NATIONAL COMMUNICATIONS CENTER,

Complainant,

v.

PACIFIC TELEPHONE & TELEGRAPH COMPANY,

Defendant.

Case No. 10446  
(Filed October 19, 1977)

INTERIM ORDER

In this complaint, complainant alleges that various actions and omissions on the part of defendant resulted in an uneconomical configuration of trunks and equipment, causing, in turn, an overbilling for various telephone charges from December 1976 through May 1977.

Pursuant to our rules, complainant began paying its bill concerning the disputed equipment to the Commission. By June of 1978, the total amount deposited began approaching \$200,000. Prior to the hearing in this matter on July 5, 1978 Administrative Law Judge Meaney inquired whether such a large deposit was necessary and whether continued payments to the Commission were appropriate.

Research convinces the complainant that its claimed damages do not exceed \$70,000. On July 12, 1978 we received a letter signed by complainant's Secretary-Treasurer authorizing the release of \$133,707.03, which will leave on deposit with the Commission a balance of \$70,000.

Since the parties have stipulated to extending briefing deadlines until November, an interim order, effective the date hereof, is appropriate for the purpose of releasing to defendant the amount of \$133,707.03.

IT IS ORDERED that deposits by complainant in the sum of \$133,707.03 shall be disbursed to The Pacific Telephone and Telegraph Company.

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 31st day of OCTOBER, 1978.

Robert Bateman  
President  
William Sproull  
Vernon L. Strueman  
Charles P. Gault  
Clare T. Deibel  
Commissioners