

Decision No. ~~89917~~ JAN 30 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of General Telephone
 Company of California for
 certificate of public convenience
 and necessity under Section 1001
 of the Public Utilities Code of
 the State of California for
 authority to offer personal
 signaling service beyond the
 boundaries of its Pomona, Ontario,
 Redlands and San Bernardino
 Exchanges.

Application No. 58526
 (Filed December 14, 1978)

INTERIM OPINION AND ORDER

Applicant, General Telephone Company of California (General Telephone), seeks a certificate of public convenience and necessity, pursuant to Section 1001 of California Public Utilities Code, for its Pomona/Ontario and Redlands/San Bernardino paging service. General Telephone began offering the paging service involved herein without certification pursuant to Commission Decision No. 86402 dated September 21, 1976 in Case No. 9757, rehearing and reconsideration denied, Decision No. 86706 dated November 30, 1976.

Decision No. 86402 was annulled by the California Supreme Court on October 27, 1978. (Industrial Communications Systems, Inc. v Public Utilities Commission (1978) 22 Cal 3d

572.) The court's decision held that a certificate of public convenience and necessity is required since the signal strength contour more than incidentally extends beyond General Telephone's wireline exchange boundaries.

The application states that General Telephone is providing personal signaling service to an estimated 742 customers in the exchange areas (Application, Exhibit E). Applicant requests an ex parte order authorizing General Telephone to continue to offer the paging service involved herein pending a hearing on the application.

We conclude that General Telephone cannot continue to offer the paging service involved herein to the public without the required, and requested, certificate of public convenience and necessity. However, the sudden interruption of paging service to present customers may cause extreme hardship to such customers, as alleged by General Telephone. Under the circumstances, we will order applicant to continue to serve only its present customers pending an expeditious determination of the application for a certificate.

IT IS ORDERED that:

1. General Telephone Company of California shall not offer its Pomona/Ontario and Redlands/San Bernardino personal signaling

service to the public unless authorized to do so by Commission decision after public hearing in Application No. 58526.

2. General Telephone Company of California is directed to continue its Pomona/Ontario and Redlands/San Bernardino personal signaling service to customers presently served, and such service shall not be discontinued without Commission authorization.

The effective date of this order is the date _____ hereof.

Dated at San Francisco, California, this 30th day of JANUARY, 1979.

Richard D. Powell
President

Yvonne L. Sturgeon

Alvin T. Decker

Commissioner John E. Bryson

Present but not participating.

Commissioners

Commissioner Leonard M. Grimes, Jr.

Present but not participating.