

ORIGINAL

Decision No. 91738 MAY 6 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MOBILE RADIO SYSTEM OF SAN JOSE,)
INC.,)

Complainant,)

vs.)

INTRASTATE RADIOTELEPHONE, INC.)
OF SAN FRANCISCO, ACTION-PHONE)
ANSWERING SERVICE, BLOSSOM)
VALLEY ANSWERING BUREAU, TEL-PAGE)
ANSWERING SERVICE, AND MISSION)
TELEPHONE ANSWERING BUREAU,)

Defendants.)

Case No. 9871
(Filed February 13, 1975)

ORDER DISCONTINUING PROCEEDING
AND MAKING PRIOR ORDER FINAL

On August 10, 1976 the Commission issued Decision No. 86230, denying the relief requested in Case No. 9871. On October 26, 1976 the Commission found that Decision No. 86230 contained certain inaccuracies with respect to the standard for determining the authorized service area of a radiotelephone utility and with respect to defendant Intrastate Radiotelephone, Inc. of San Francisco's (Intrastate) authorized service area.

Decision No. 86575 granted rehearing of Decision No. 86230 solely on the issue of whether a field strength contour of 43 decibels above one microvolt per meter defines Intrastate's authorized service area for one-way paging, said rehearing to be restricted to the submission of written arguments. The written arguments on the foregoing issue have not been filed.

On February 7, 1980 the assigned administrative law judge advised the counsel of record for Intrastate and complainant that the issue in question appears to be moot and that unless some different action was requested before March 5, 1980, it would be recommended to the Commission that the rehearing granted in Decision No. 86575 be withdrawn and Decision No. 86230 be made the final order of the Commission.

Intrastate agreed to such procedure. No response was received from complainant. In the circumstances, the rehearing ordered in Decision No. 86575 will be rescinded and Decision No. 86230 will be made the final order of the Commission in Case No. 9871.

IT IS ORDERED that:

1. The rehearing of Decision No. 86230 in Case No. 9871 ordered in Decision No. 86575 is rescinded.

2. Decision No. 86230, as amended and corrected in Decision No. 86575, is the final order of the Commission in Case No. 9871. ss

3. The proceeding in Case No. 9871 is discontinued.

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

Dated MAY 6 1980 , at San Francisco, California.

John E. Bryan
President
Deborah L. Stevenson
Michael D. Howell
Clare T. Delaney
Edward M. Quinn
Commissioners