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Decision No. 92485 DEC 2- 1980**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GAYNOR TELEPHONE & ELECTRONICS)

Complainant,)

vs.)

PACIFIC TELEPHONE,)

Defendant.)

Case No. 10284
(Filed March 14, 1977;
amended May 20, 1977)ORDER MODIFYING DECISION NO. 92233
AND DENYING REHEARING

An application for rehearing or modification of Decision No. 92233 has been filed by the Pacific Telephone and Telegraph Company (PT&T). A response to this application has been filed by Gaynor Telephone Systems, Inc., the defendant (Gaynor). We have carefully reviewed the allegation and are of the opinion that good cause for granting rehearing has not been shown. However, Decision No. 92233 should be modified to clarify our intentions as to how sales of in-place wiring should be handled.

We agree with PT&T that the public interest does not require that our approval be obtained in each instance of such sales. Where there is no dispute between PT&T and the purchaser, the sale can be exempted from provisions of Section 851 of the Public Utilities Code (See Section 853 thereof.) We will herein modify Decision No. 92233 to provide for such exemption on the condition that PT&T file its pricing matrix as a part of its tariff.*/

*/ PT&T has advised us that it has worked out a pricing matrix approach to facilitate such sales.

C. 10284, L/kn *

When the parties cannot agree, we will continue to hear and decide complaints.

Therefore,

IT IS ORDERED that Conclusion of Law No. 1 in Decision No. 92233 is hereby modified to read in full as follows:

"1. The Commission has jurisdiction over the sale of useful inside wiring and connections by telephone utilities. However, the public interest does not appear to require that each sale be approved by us. Therefore, we invite Pacific to file its matrix pricing approach as an advice letter filing. Upon approval, that tariff filing will eliminate the need for Pacific to seek further approval for individual sales. Where the parties cannot agree on terms of sale, we will hear and decide complaints, filed pursuant to Section 1702 of the Public Utilities Code."

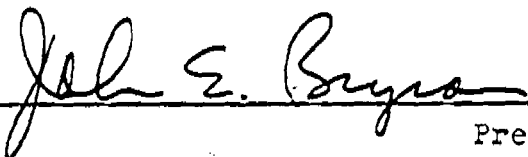
Rehearing of Decision No. 92233 as modified herein is denied.

The effective date of this order is the date hereof.

Dated DEC 2 - 1980, 1980, at San Francisco, California.

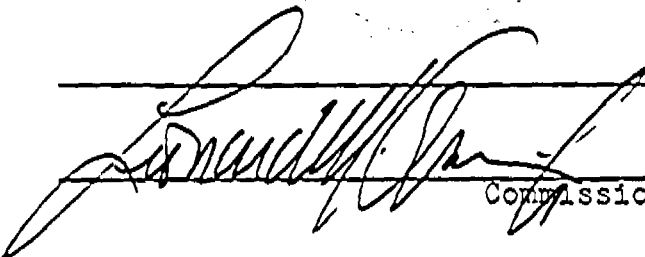
Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.



President





Commissioners