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**ORIGINAL**Decision 93793 DEC - 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RaeBar Telecommunications Systems, Inc.,  
 Complainant,  
 vs.  
 Pacific Telephone and Telegraph Company,  
 Defendant.

Case 11034  
 (Filed September 29, 1981)

Francois X. Sorba, Attorney at Law, for RaeBar Telecommunications Systems, Inc., complainant.  
Daniel J. McCarthy, Attorney at Law, for The Pacific Telephone and Telegraph Company, defendant.

MODIFICATION OF  
 TEMPORARY RESTRAINING ORDER

On October 6, 1981, we issued Decision 93598, which granted the request of RaeBar Telecommunications Systems, Inc. (RaeBar) for a Temporary Restraining Order requiring The Pacific Telephone and Telegraph Company (Pacific) to refrain from disconnecting RaeBar's telephone service until further order of this Commission.

A hearing was held on October 13, 1981, before Administrative Law Judge Haley to determine whether the Temporary Restraining Order should be continued, modified, or lifted. On that date RaeBar and Pacific negotiated and stipulated to a schedule of payments for both current and past due billing. The parties further stipulated to the

circumstances under which Pacific could disconnect RaeBar's telephone service. On October 23, 1981, RaeBar and Pacific filed with the Commission a written Stipulation and Agreement which memorializes the terms they settled upon on October 13, 1981.

We have reviewed the Stipulation and Agreement, as well as the record of the hearing held on October 13. We find the terms of the Stipulation and Agreement to be reasonable and proper in the circumstances. We conclude that the Temporary Restraining Order should be modified to bring it in accordance with the Stipulation and Agreement. Because of the payment schedule specified in the Stipulation and Agreement, this order should be effective on the date it is signed.

IT IS ORDERED that:

1. The Pacific Telephone and Telegraph Company (Pacific) is restrained until further order from disconnecting telephone service to RaeBar Telecommunications Systems, Inc. (RaeBar) provided that RaeBar makes payments as specified in the Stipulation and Agreement filed on October 23, 1981. Should RaeBar default, Pacific may disconnect service in accordance with the provisions of its filed tariffs.

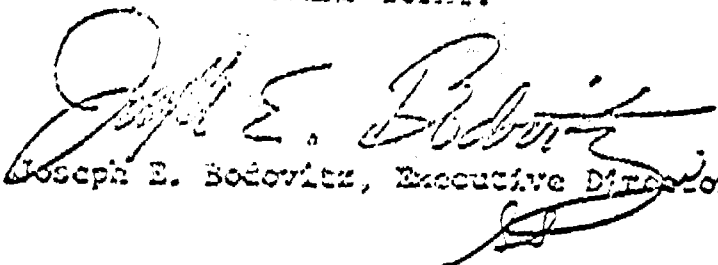
2. The Executive Director of this Commission shall cause a certified copy of this order to be served by mail forthwith upon Pacific and RaeBar.

This order is effective today.

Dated DEC 1 1981, at San Francisco, California.

JOHN E. BRYSON  
President  
RICHARD D. GRAVELLE  
LEONARD M. CHIMES, JR.  
VICTOR GALNO  
PRISCILLA C. CREW  
Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

  
Joseph E. Bodovitz, Executive Director