

Decision 96-02-043 February 23, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application for Authority to)
Transfer Control of Western Union)
Communications, Inc. (U-5449-C))
to First Data Corporation.)

ORIGINAL
Application 95-08-037
(Filed August 18, 1995)

O P I N I O N

1. Summary

Western Union Communications, Inc. (Western Union) petitions to modify Decision (D.) 95-10-051 to delete a requirement that customers be notified of a change in ownership. Western Union sells telephone services in California only through use of purchased telephone debit cards, and providing notice to such purchasers is impractical. The petition to modify D.95-10-51 is granted.

2. Background

In D.95-10-051, issued on October 23, 1995, the Commission approved the transfer of control of Western Union, an authorized reseller of telephone services, from First Financial Management Corporation to First Data Corporation.

In approving the transfer under Public Utilities Code § 854(a), the Commission directed applicants to "notify all customers affected by the transfer of control and advise them that terms, conditions, and rates for service are unchanged." (D.95-10-051, Ordering Paragraph 3.)

Pursuant to Rule 47 of the Rules of Practice and Procedure, Western Union seeks modification of D.95-10-051 to delete the requirement for customer notification.

While Western Union is authorized to provide full telephone reseller service in California,¹ it states in its petition that, in fact, it has limited its service in this state exclusively to debit card service. Western Union debit cards are purchased at set amounts (i.e., \$10, \$20, or \$50) through retail outlets, entitling the card holder to use Western Union telephone services up to the prepaid amount.

3. Discussion

Customer notice of a change in ownership of a reseller of telephone services is appropriate where the reseller maintains a base of telephone subscribers. Here, however, Western Union has limited its service to the sale of debit cards to customers of various retail outlets. Notice to these customers is impractical and would serve little or no purpose. The petition to modify the earlier decision should be granted.

Findings of Fact

1. Western Union was authorized to provide telephone reseller service in California in D.95-02-024, issued on February 8, 1995.

2. In D.95-10-051, issued on October 23, 1995, the Commission authorized transfer of control of Western Union from First Financial Management Corporation to First Data Corporation.

3. Ordering Paragraph 3 of D.95-10-051 requires Western Union to notify affected customers of the transfer of control.

4. Western Union offers telephone services in California only through the use of telephone debit cards, sold through retail outlets.

¹ Western Union was granted a certificate of public convenience and necessity to operate as a nondominant interexchange carrier in D.95-02-024, issued on February 8, 1995.

5. There is no practical way to notify purchasers of the telephone debit cards of the transfer of control of Western Union, nor would such notice serve a useful purpose.

Conclusion of Law

Western Union's petition to modify D.95-10-051 to delete Ordering Paragraph 3 should be granted.

O R D E R

IT IS ORDERED that Decision 95-10-051 is amended to delete Ordering Paragraph 3.

This order is effective today.

Dated February 23, 1996, at San Francisco, California.

DANIEL Wm. FESSLER
President
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners