

OCT 25 1996

Decision 96-10-059 October 25, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 GTE California Incorporated
 for a Certificate of Public
 Convenience and Necessity to Provide
 IntraLATA Telecommunications
 Services Within Additional Portions of
 the State of California.

ORIGINAL

) Application 95-09-004
) (Filed September 1, 1995)

OPINIONSummary

We modify our Decision (D.) 95-12-059 to enlarge the scope of the authority previously granted to GTE of California Incorporated (GTEC) to provide intraLocal Access and Transport Area (intraLATA) telephone services on a facilities-based and resold basis in all of Pacific Bell's (Pacific's) exchange areas.

Procedural Background

GTEC filed its application on September 1, 1995, and we issued D.95-12-059 on December 20, 1995. GTEC filed a petition for modification on July 26, 1996, which was duly noticed in the Daily Calendar on July 30, 1996. No party made any filing in response to the petition.

Discussion

GTEC notes that in its original application it requested authorization to provide certain competitive services in only a portion of Pacific's exchange areas, as shown on the map attached to the application.

GTEC now wishes to be permitted to include all of Pacific's exchange areas within the authority it received to provide intraLATA services in order to provide its services more competitively. GTEC represents that in all other respects, specifically including the representations it previously made with respect to Rule 17.1, all of the information contained in

its original application remains accurate in all material respects.

Findings of Fact

1. D.95-12-059 granted to GTEC a certificate of public convenience and necessary to provide intraLATA telecommunications services in California.

2. GTEC requests that the authority granted be modified to include all of Pacific's exchange areas.

3. No interested party has protested the petition for modification.

Conclusions of Law

1. No public hearing is required.

2. D.95-12-059 should be modified to include all of Pacific's exchange areas within the authority granted to GTEC.

ORDER

IT IS ORDERED that:

1. The petition of GTE of California Incorporated (GTEC) to modify Decision (D.) 95-12-059 is granted.

2. Ordering Paragraph 1 of D.95-12-059 is amended in its entirety as follows: "A certificate of public convenience and necessity is granted to GTE California Incorporated (applicant) to operate to the extent authorized by Decision (D.) 94-09-065, to provide intraLocal Access and Transport Area (LATA) telecommunication services in each of Pacific Bell's (Pacific's) exchanges such as are offered by communication carriers in California generally."

3. Applicant may include each of Pacific's exchanges in its tariff filings and service area maps, consistent with Ordering Paragraphs 3 and 5 of D.95-12-059.

4. Application 95-09-004 is closed.

This order is effective today.

Dated October 25, 1996, at Sacramento, California.

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

Commissioner Daniel Wm. Fessler, being necessarily absent, did not participate

Decisions

D 96-10-060

TO

D 96-10-079