

Decision 97-02-003 February 5, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of D.D.D. Calling, Inc. for Certificate of Public Convenience to Provide interLATA and intraLATA Telecommunications Services Throughout California.

Application 96-05-051
(Filed May 21, 1996)

ORIGINAL

In the Matter of the Application of RRV Enterprises, Inc. d/b/a Consumer Access for a Certificate of Public Convenience and Necessity to Provide interLATA and intraLATA Telecommunications Services throughout California.

Application 96-06-015
(Filed June 17, 1996)

O P I N I O N

D.D.D. Calling, Inc., a Texas corporation formerly known as Millennium Telecom, Inc., and RRV Enterprises, Inc., a Texas corporation doing business as Consumers Access, each filed applications for certificates of public convenience and necessity (CPCN). Each application was protested by the Commission's former Safety and Enforcement Division (now the Consumer Services Division, CSD) on the grounds that the respective applicant had, as a marketing agent for other telecommunications carriers, engaged in unlawful practices in violation of Public Utilities (PU) Code Section 2889.5. CSD requested that the Commission hold each application in abeyance while it conducted its investigation into the operations and practices of each application to determine the fitness of each applicant to hold a CPCN. Neither applicant filed a response pursuant to Rule of Practice and Procedure 44.6 to object to CSD's protest. The assigned administrative law judge consolidated the two applications on July 5, 1996.

On October 7, 1996 each applicant moved to withdraw its application. On October 16, 1996, CSD requested that as a condition of granting the motion to withdraw the Commission require that if the officers and shareholders of applicants are or become associated with any other entity filing an application before the Commission, they be required to disclose their affiliation to the present applicants. While we will not adopt this specific request, we place this applicant and its principals on notice that the Commission and its staff exercise vigilance in ascertaining whether the principals of new applicants have previously engaged in activities that call their fitness into question.

O R D E R

IT IS ORDERED that:

1. The applications of D.D.D. Calling, Inc., a Texas corporation formerly known as Millennium Telecom, Inc., and RRV Enterprises, Inc., a Texas corporation doing business as Consumers Access, are dismissed.

2. Application (A.) 96-05-051 and A.96-06-015 are closed.

This order is effective today.

Dated February 5, 1997, at San Francisco, California.

P. GREGORY CONLON
President

JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
Commissioners