

Decision 97-04-008 April 9, 1997

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion
into the practices of Wiltel Corporation.

Investigation 95-11-004
(Filed November 8, 1995)

OPINION

Background

On November 11, 1995, the Commission began this investigation into the practices of WilTel Telephone Corporation (WilTel) regarding whether WilTel was unlawfully passing calling party information without notice or opportunity for blocking. On December 1, 1995, the Federal Communications Commission (FCC) issued its decision 95-480 in CC docket no. 91-281 in which it prohibited the exact type of information to be passed that was the subject of the Commission's investigation. On December 5, 1995, WilTel informed the Commission that it had commenced compliance with the FCC's order effective on December 1, 1995.

After over a year of extensions and discussion among the parties, including an application for rehearing of the Order Instituting Investigation, the parties filed a joint motion for dismissal of this investigation and WilTel requested withdrawal of its pending application for rehearing on January 27, 1997.

Discussion

The parties state in their joint motion for dismissal that "no public purpose will be served by further expenditures of resources by the parties to this investigation."

We agree.

I. 95-11-004 ALJ/MAB/cpl

Finding of Fact

Wiltel and Commission staff jointly requested dismissal of this investigation.

Conclusion of Law

No public purpose will be served by further expenditure of resources by the Commission and the parties to this investigation.

ORDER

Therefore **IT IS ORDERED** that:

1. Order Instituting Investigation (I.) 95-11-004 is dismissed and this docket is closed.
2. WilTel Corporation's request to withdraw its application for rehearing of I.95-11-004 is granted.

This order is effective today.

Dated April 9, 1997, at San Francisco, California.

P. GREGORY CONLON

President

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners