

Decision 97-05-054 May 21, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Pacific Bell
(U 1001 C), a corporation, for permanent Extension of
Decision No. 87-12-067.

Application 96-08-027
(Filed August 5, 1996)

O P I N I O N

This decision grants the request of Pacific Bell (Pacific) to make permanent certain modifications to its Tariff Rule 12 which the Commission ordered on a temporary basis in Decision (D.) 95-04-067.

In D.86-05-072, the Commission determined that Pacific had violated its Tariff Rule 12 which requires Pacific to itemize for each customer the recurring and nonrecurring charges applicable to the services the customer orders. To prevent such "package selling," D.87-12-067 required modifications to Tariff Rule 12 which would specify the sequence and content of various disclosures to customers ordering new service or changes to existing service.

Subsequently, D.95-04-067 ordered further modifications to Tariff Rule 12 provisionally for a period of 18 months. The modifications permitted more limited disclosures designed to exclude the provision of inapplicable information while assuring the customer receives adequate information about the products or services the customer wishes to order or about which the customer inquires. In D.95-04-067, the Commission also required Pacific to monitor the effects of the tariff modification to facilitate review of the matter.

Pacific here seeks to make these modifications permanent. It states that it has tracked customer appeals regarding the disclosures required by Tariff Rule 12 and has identified no customer who has expressed dissatisfaction with the disclosures. Nor has it identified any customer complaints during its monitoring of residence service and marketing centers.

No party protested this application. We are satisfied that currently Tariff Rule 12 is adequate to protect customers from unfair marketing practices and provides for appropriate disclosures of services and associated charges. We herein grant Pacific's request.

Findings of Fact

1. D.87-12-067 and D.95-04-067 required certain modifications to Tariff Rule 12 which were designed to assure that customers have adequate information about Pacific's services and associated charges.

2. Pacific herein seeks to make permanent the modifications to Tariff Rule 12 ordered in D.95-04-067.

3. Pacific states it has not received customer complaints regarding the implementation of Tariff Rule 12.

Conclusion of Law

The Commission should grant Pacific's request to make provisional Tariff Rule 12 permanent.

O R D E R

IT IS ORDERED that:

1. The request of Pacific Bell to make permanent the modifications to Tariff Rule 12, ordered in Decision 95-04-067 is granted.

2. This proceeding is closed.

This order is effective today.

Dated May 21, 1997, at Sacramento, California.

P. GREGORY CONLON
President

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners