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Decision 97-08-046 August 1, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's
Own Motion into Competition for Local Exchange
Service.

ORIGINAL
R97-04-013

(Filed April 26, 1995)

Order Instituting Investigation on the Commission's
Own Motion into Competition for Local Exchange
Service.

I.95-04-044

(Filed April 26, 1995)

O P I N I O N

In Decision 96-02-072, as part of our program to promote competition in the local exchange market within California, we adopted various rules pertaining to the intercompany arrangements between the incumbent local exchange carriers (i.e., Pacific Bell and GTE California, Inc.) and competitive local carriers (CLCs). Our adopted rules included provisions pertaining to the LECs' service ordering systems. Specifically, in the Decision's Appendix D, Section 11, "Additional Intercompany Arrangements," we directed in Item A: "In addition to the GO 133(b) requirement to report held orders for end user service, LECs shall separately report monthly to [the Commission Advisory and Compliance Division] CACD on held orders related to orders placed by CLCs."

Since the adoption of D. 96-02-072, the Commission has undergone an internal reorganization, and the responsibility for the GO 133(b) held order reports formerly under the purview of CACD is now assigned to the Telecommunications Division (TD). Consumer advocacy functions formerly performed by the Division of Ratepayer Advocates are now performed by the Office of Ratepayer Advocates (ORA). We conclude that in light of the consumer advocacy responsibilities of the ORA, it is appropriate for the each of the incumbent LECs to separately provide to ORA, as well as to TD, on a monthly basis a copy of the report on held orders related to orders placed by CLCs for end user service as required in D.96-02-072. Accordingly, we shall amend

Rule 11.A to include ORA, in addition to TD, as a recipient of the LECs' monthly report on held orders.

Findings of Fact

1. In D. 96-02-072, the Commission adopted interim rules pertaining to the intercompany arrangements between the incumbent LECs and CLCs.
2. In Appendix D, Item 11, of D. 96-02-072, the Commission specifically required that the incumbent LECs report to CACD on a monthly basis regarding held orders relating to orders from CLCs for end user service.
3. The duties formerly performed by CACD with respect to the GO 133-(b) reports have been taken over by TD as part of the Commission's reorganization.
4. The duties formerly performed by the Division of Ratepayer Advocates (DRA) have been taken over by the Office of Ratepayer Advocates (ORA).
5. The currently adopted rules do not provide for a separate copy of the GO 133-(b) reports to be provided to ORA.

Conclusions of Law

1. Given the ratepayer advocacy functions of ORA, it would facilitate the ability of ORA to perform its role if it receive from the incumbent LECs a separate copy of the monthly GO 133-(b) held-order reports currently provided only to TD.
2. The rule for the provision of the monthly reporting to CACD (now TD) of held orders related to orders placed by CLCs for end user service should be amended to require a separate copy of the report be provided to ORA.

O R D E R

IT IS ORDERED that the last sentence of Appendix D, Item 11A adopted in D.96-02-072 shall be amended to read as follows (with revisions underlined):

"In addition to the GO 133(b) requirement to report held orders for end user service, LECs shall separately report monthly to TD and also to ORA on held orders related to orders placed by CLCs."

This order is effective today.

Dated August 1, 1997, at San Francisco, California.

P. GREGORY CONLON
President

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners