

Decision 00-02-017 February 3, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

W. Victor,

Complainant,

vs.

GTE California Incorporated, GTE Corporation,
and Does 2001 through 2010,

Defendants.

Case 92-02-032
(Filed February 15, 1992;
Petition to Modify
filed July 1, 1999)

ORDER CORRECTING ERROR IN DECISION 99-10-061

We denied this petition for modification in Decision (D.) 99-10-061, dated October 21, 1999, finding that the petition was without merit. We also stated that the Petitioner had filed no comments on the draft decision of the administrative law judge. (D.99-10-061, at 4.) On November 15, 1999, we were advised by our Los Angeles Office that Petitioner had hand-delivered comments to that office on October 8, 1999. The comments were forwarded to our San Francisco Office by overnight mail. On November 12, 1999, the overnight mail pouch was returned to the Los Angeles Office by the Postal Service as undeliverable, apparently because of a damaged mail pouch.

We now have carefully reviewed Petitioner's comments to the draft decision. The comments do nothing more than repeat Petitioner's earlier arguments. Those arguments have been dealt with in D.99-10-061. Accordingly, the decision stands, but by this order we correct it to note that comments to the draft decision were filed.

Comments on Draft Decision

The draft decision of the ALJ in this matter was mailed to the parties in accordance with Pub. Util. Code § 311(g) and Rule 77.1 of the Rules of Practice and Procedure. Petitioner on December 23, 1999, requested and was granted an extension of time to January 31, 2000, to comment on this proposed order. On January 31, 2000, Petitioner requested a further extension of time. That request was denied. Petitioner then re-filed his earlier comments dated October 8, 1999, along with a protest to the denial of further extension. The comments repeat Petitioner's earlier arguments, which have been dealt with in D.99-10-061. Such comments are accorded no weight. (Rule 77.3 of the Rules of Practice and Procedure.)

IT IS ORDERED that:

1. Decision 99-10-061 is corrected as follows:
 - At page 4, the sentence "Petitioner has filed no comments." is deleted.
 - In place of the deleted sentence, the following is inserted: "Petitioner's comments, filed on October 8, 1999, do nothing more than repeat Petitioner's earlier arguments."
2. This proceeding is closed.

This order is effective today.

Dated February 3, 2000, at San Francisco, California.

RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEEPER
CARL W. WOOD
LORETTA M. LYNCH
Commissioners