Mailed 3/18/99

Decision 99-03-041 March 18, 1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation to determine whether trended ratebasing should be applied to local exchange telephone companies within the state.	Investigation 85-06-004 (Filed June 5, 1985)

ORDER OF DISMISSAL

Summary

Order of dismissal for lack of current relevance.

Discussion

This investigation was opened by the Commission on June 5, 1985. In compliance with the Order Instituting Investigation, comments to the order and replies to those comments were received. Since then there has been no further activity.

The newly assigned Administrative Law Judge (ALJ) sent a Ruling on January 4, 1999 to all parties notifying them of his intention to seek dismissal of the Investigation. All parties were invited to indicate objections to the dismissal no later than January 29, 1999. None have been received.

Since this is an uncontested order granting the relief suggested in the ALJ's Ruling of January 4, 1999 the otherwise applicable 30-day period for public review and comment pursuant to Public Utilities Code Sec. 311(g)(2) is waived. Since the matter was filed before January 1, 1998 and there will be no hearing, Rules 4 and 6 of the Commission's Rules of Practice and Procedure are not applicable.

Findings of Fact

1. This matter was filed in 1985.

2. After filing of comments there have been no prehearing conferences or evidentiary hearings.

3. An ALJ Ruling served on all parties asked for reasons for not having the matter dismissed. No replies were received.

Conclusion of Law

The absence of response to the ALJ Ruling of January 4, 1999 indicates that there is no reason not to dismiss this matter.

O R D E R

IT IS ORDERED that:

1. Investigation 85-06-004 is dismissed.

2. This matter is closed.

This order is effective today.

Dated March 18, 1999, at San Francisco, California.

RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners