

Decision 99-03-044 March 18, 1999

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Investigation on the Commission's own motion into the ratesetting procedures and effects of providing a separate charge for telephone directory assistance service on all California telephone corporations is attached hereto to Appendix D.

Investigation 83-03-02  
(Filed March 16, 1983)

**ORDER OF DISMISSAL**

**Summary**

Investigation (I) 83-03-02 into the rates and allowances for directory assistance service is dismissed.

**Discussion**

On March 16, 1983 the Commission issued an Order Instituting Investigation (OII) into the rates and call allowances for each telephone corporation in California. At that time Public Utilities (Pub. Util.) Code Section 776(e) authorized the Commission to permit telephone corporations to charge for directory assistance calls in excess of 20 requests per month. That statute was to automatically be repealed as of April 1, 1983. The purpose of the OII was to provide guidance to the various telephone corporations for when the legislation expired.

As stated in the OII, Pacific Telephone & Telegraph Company (now Pacific Bell) had already instituted a directory assistance plan which it started in 1982 in San Diego and Imperial Counties. Pacific Bell intended to expand this plan effective April 1, 1983.

The OII also spoke to the impending reorganization of the Bell System due to the settlement of the antitrust suit brought by the United States Department of Justice. It indicated that the result of this restructuring of the telephone system might have repercussions on the local company's rate requirements.

OII 83-03-02 was to automatically terminate five years from the date it was instituted unless there was an order of extension by the Commission. No such order has issued. The only mention of this OII occurs in a rate decision of Pacific Bell (1984) 15 CPUC 2d 232 (1984) and General Telephone Company of California (1984) 15 CPUC 2d 599, alluding to the existence of the OII and the requirements contained therein.

An Administrative Law Judge's Ruling issued on January 26, 1999 alerted all of the Respondents to his intention to recommend dismissal of this proceeding and invited comments to be filed no later than March 1, 1999. No comments have been received. The Respondents have been given more than 30 days to indicate objections to a dismissal of this proceeding and have failed to offer any objections to dismissal. The otherwise applicable 30-day period for public review and comment pursuant to Pub. Util. Code Sec. 311(g)(2) is waived. Since the matter was filed before January 1, 1998 and there will be no hearings, Rules 4 and 6 of the Commission's Rules of Practice and Procedure are not applicable.

### **Findings of Fact**

1. This OII was instituted in 1983 to meet the immediate problem of expiring legislation relating to directory assistance charges and the changing structure of the telephone industry as these events might relate to directory assistance charges.

2. The OII indicated the type of filing and contents that would be expected under the new circumstances, including an allowance of 20 free directory assistance calls.

3. The OII automatically terminated in five years from the date it was instituted.

4. There has been no extension of the life of the OII.

**Conclusions of Law**

1. This OII has automatically terminated.

2. An order of dismissal should be issued to formally clear the matter from our docket.

**IT IS ORDERED** that:

1. Investigation 83-03-02 is dismissed.

2. The effective date of this order is the date it is signed.

3. 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