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APR 9 1992
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of petitions)
by interexchange telephone)
companies to provide intraLATA)
services.)

F I L E D
PUBLIC UTILITIES COMMISSION
APRIL 8, 1992
SAN FRANCISCO OFFICE
I.92-04-008

ORDER INSTITUTING INVESTIGATION

In Phase III of the Commission's Alternative Regulatory Framework proceeding (Investigation (I.) 87-11-033), the Commission is considering the possibility of allowing greater competition in intraLATA telecommunications services. It appears likely that a decision will be issued later this year which, among other things, may allow interexchange carriers (IECs) that are currently authorized to provide interLATA telecommunications services to seek operational authority to provide intraLATA message toll service and other intraLATA services.

If our decision authorizes IECs having certificates of public convenience and necessity (CPCNs) to provide interLATA services to offer competitive intraLATA services, the normal procedure under our Rules of Practice and Procedure (Rules) would require each IEC to file a formal application in a separate docket seeking a CPCN for the expanded authority. Because of the administrative burden of processing a multitude of separate applications, it will be expedient to establish a way for IECs to file requests for intraLATA authority with the Commission in a single investigatory docket. These filings would address the required showing demonstrating sufficient current financial resources, documenting a satisfactory complaint history, establishing managerial ability and technical expertise, outlining the proposed territory to be served, stating proposed tariff rates and charges, and supplying evidence of good standing. These

filings, which should be entitled "Petition for IntraLATA Authority," would be made in lieu of formal applications pursuant to Article 5 of the Commission's Rules.

We plan to use this investigation to facilitate the development of a roster of those IECs which now possess CPCNs to provide interLATA services and which possess the financial resources, managerial ability, technical expertise, and other requirements, to provide the intraLATA services which may be authorized in I.87-11-033.

Although other entities may also seek to provide the intraLATA services that may be authorized in I.87-11-033, IECs with interLATA authority constitute a large group that appears likely to seek corresponding intraLATA authority. The focus of today's order is only on developing an efficient means of dealing with the expected multitude of requests from IECs. Unless special procedures are established in later decisions, other entities seeking authority to offer intraLATA services should file separate applications under the provisions of Article 5 of our Rules.

Accordingly, we place all IECs which currently have interLATA authority and which desire to enter the intraLATA telecommunications competitive service market, to the extent later authorized in I.87-11-033, on notice to make timely and responsive filings in this investigation.

Therefore, IT IS ORDERED that:

1. All interexchange carriers (IECs) are made respondents to this Investigation. The Commission's current list of certificated IECs is attached as Appendix A.

2. In response to a possible order in Investigation (I.) 87-10-033 allowing IECs to seek authority to provide telecommunications services on an intraLATA basis, each respondent desiring to enter the intraLATA telecommunications competitive service market shall file with the Commission's Docket Office in San Francisco, within 60 days of the effective date of this order,

a pleading entitled "Petition for IntraLATA Authority," containing the following information:

- a. Respondent's formal and informal complaint history before the Commission during the most recent 12-month period, including number of complaints received, and number of unresolved complaints outstanding.
- b. Respondent's most recent income statement, and its most recent balance sheet, and also an explanation of the source of funds for any new capital improvements.
- c. Summary details of available facilities, technical plant and personnel to become involved in providing intraLATA service.
- d. Example tariffs, including maps, showing each specific intraLATA territory the respondent proposes to serve (initially as well as that into which expansion may be sought in the following five years), the proposed services to be provided, and the rates and charges proposed for those services. (De-averaging of rates based on distance will not be considered in these example tariffs.)
- e. Evidence of good standing with the Commission. This may consist of a statement that the company has consistently and currently paid all applicable fees required to be paid to the Commission and has filed all required annual reports.

3. The procedures established in this investigation shall supersede those set forth in Article 5 of the Commission's Rules of Practice and Procedure (Rules) relating to applications for certificates of public convenience and necessity for the limited purposes of filing and processing requests for authority to provide intraLATA services. Respondents shall comply with Rules 2 through 8 of the Rules.

4. The provisions of Article 2.5 of the Rules relating to protests shall be observed in connection with each petition filed in this proceeding.

5. All "petitions" in connection with this investigation shall be numbered consecutively and filed under this docket. The original and 12 copies of each petition shall be filed with the Docket Office, and a copy shall be served on all parties in Phase III of I.87-11-033 (service list attached as Appendix B), and on all respondents (Appendix A).

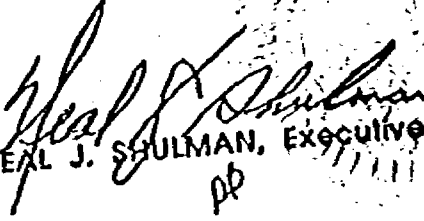
6. The Executive Director is directed to serve a copy of this Order on all respondents (Appendix A) and all parties to Phase III of I.87-11-033 (Appendix B).

This order is effective today.

Dated April 8, 1992, at San Francisco, California.

DANIEL Wm. FESSLER
President
JOHN B. OHANIAN
PATRICIA M. ECKERT
NORMAN D. SHUMWAY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY


NEAL J. SHULMAN, Executive Director
pp

2/13/92

CALIFORNIA PUBLIC UTILITIES COMMISSION
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