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RESOLUTION NO. T-11004

EVALUATION AND COMPLIANCE
DIVISION

DATE: February 5, 1986

R E S O L U T I O N

____ Director

____ Numerical File

____ Alphabetical File

____ Accounting Officer

SUBJECT: Order revoking Certificates of Public Convenience and Necessity of intrastate interLATA telecommunications common carriers. Resolution No. T-11004.

WHEREAS: By various decisions issued by the Public Utilities Commission during 1984 and 1985 several interLATA telecommunication common carriers have been granted Certificates of Public Convenience and Necessity to provide inter-LATA telecommunications services to the public, and

WHEREAS: NCR Telecommunication Services Inc. in Application 84-03-070 filed March 21, 1984, was granted a CPC&N May 2, 1984 by Decision 84-05-008;

WHEREAS: Eileen Apply dba Discount Alternate Telephone Service (DATS) Application 84-11-004 filed November 1, 1984, was granted a CPC&N February 21, 1985, by Decision 85-02-050;

WHEREAS: Lo-Call USA, Inc. Application 84-02-001 filed February 2, 1984, was granted a CPC&N March 21, 1984 by Decision 84-03-058; and

WHEREAS: LD Communications, Inc. Application 83-12-025 filed December 15, 1983, was granted a CPC&N February 1, 1984 by Decision 84-02-012; and

WHEREAS: North American Telephone Company in Application 84-02-059 filed February 29, 1985, was granted a CPC&N March 21, 1984 by Decision 84-03-058; and

WHEREAS: NCR Telecommunication Services Inc. by letter dated November 15, 1985, requests that authority granted by D-84-05-008 to provide interLata telecommunication services be withdrawn. The officers of NCR Telecommunication Services came to the conclusion that sufficient synergism failed to develop to warrant the continued investment of capital necessary to support this venture. Therefore an agreement was reached for transfer of NCR access customer base to U.S. Telephone. Customers were informed of this action about April 1, 1985, and services have continued without significant change in quality of service. In addition, NCR has now concluded that they will no longer engage in telecommunication services within the State of California and requests that operating authority and tariff schedules be withdrawn.

WHEREAS: DATS, Lo-Call USA, LD Communications and North American Telephone Company have failed to respond to numerous communications by mail and such mail has been returned to the Commission marked "Moved left no address". The E & C Telecommunications staff has attempted to contact these companies by telephone and discovered service had been disconnected with no forwarding number. Pacific Bell has informed the staff that DATS service was disconnected for non-payment of delinquent bills on October 23, 1985, and is no longer in business; Lo-Call was disconnected for non-payment of delinquent bills on October 3, 1985; LD Communications discontinued business October 9, 1984 and North American Telephone Company has gone out of business but record of a disconnection date was unavailable. Therefore staff has requested that the above Certificates of Public Convenience and Necessity be revoked.

The Commission finds that the authority granted by D.84-05-008 for NCR Telecommunications, D.85-02-050 for Eileen Apply dba Discount Alternate Telephone Service (DATS), D-84-03-058 for Lo-Call USA, Inc., D.84-02-012 for LD Communications, Inc, and D.84-03-058 for North American Telephone Company should be revoked pursuant to the information above; and good cause appearing,

IT IS ORDERED that:

(1) The operating authority granted to NCR Telecommunication Services by D.84-05-008, Eileen Apply dba Discount Alternate Telephone Service (DATS) by D.85-02-050, Lo-Call USA by D.84-03-058, LD Communications, Inc. by D.84-02-012 and North American Telephone Company by D.84-02-012 is revoked and tariff schedules are cancelled.

(2) NCR Telecommunications Services Inc., Eileen Apply dba Discount Alternate Telephone Service (DATS), Lo-Call USA, Inc., LD Communications, Inc., and North American Telephone Company are no longer designated as service suppliers as defined in Part 22, Chapter 1, Section 44016 of the Revenue and Taxation Code.

(3) NCR Telecommunications Services Inc., Eileen Apply dba Discount Alternate Telephone Service (DATS), Lo-Call USA, Inc., LD Communications, Inc., and North American Telephone Company are no subject to the user fee pursuant to Public Utilities Code Sections 431-435.

(4) A copy of this Resolution shall be placed in the formal files of each of the Applications referred to in this Resolution.

The effective date of this Resolution is today.

I hereby certify that the foregoing Resolution was duly introduced, passed and adopted at a regular meeting of the Public Utilities Commission of the State of California, held on February 5, 1986, the following Commissioners voting favorably thereon:

DONALD VIAL
President
VICTOR CALVO
WILLIAM T BAGLEY
FREDERICK R. DUDA
Commissioners


Executive Director