

## PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

EVALUATION & COMPLIANCE DIVISION  
Telecommunications Branch

RESOLUTION NO. T-12018  
April 22, 1987

R E S O L U T I O N

MCI. PROTEST OF PACIFIC BELL TO MCI ADVICE LETTER NO. 30, A REQUEST FOR AUTHORITY TO REVISE EXISTING TARIFF SCHEDULES TO ESTABLISH "MCI 800 SERVICE". RESOLUTION T-12018.

On March 19, 1987, MCI filed Advice Letter No. 30, requesting authority under Section 454 of the Public Utilities Code to make effective tariff revisions to establish MCI 800 Service. This service allows subscribers to receive intrastate interLATA calls at no cost to the calling parties.

Pacific Bell (Pacific) filed a protest to MCI 's filing on March 23, 1987, arguing that:

1) It is not clear from MCI's filing how it intends to abide by the Commission's prohibition on intraLATA competition (see D.84-06-113).

2) Approval of MCI's filing should be conditioned upon its commitment to abide by the "holding out" restrictions contained in D. 84-06-113, and its willingness to inform its customers that intraLATA calling should be placed over Pacific's facilities.

3) MCI's filing should be approved only if the company agrees that it is Pacific's right to exert control over incidental intraLATA 800 traffic, once the local exchange carrier develops and implements the capability to screen and block or screen and carry intraLATA 800 traffic (or any other service provided by interexchange carriers for that matter).

MCI responded to Pacific's protest on March 24, 1987, arguing that:

1) Pacific has been aware for some time now that MCI will carry some level of incidental intraLATA traffic in providing its 800 service; yet Pacific did not protest MCI's Advice Letter No. 26, which allowed it to offer 800 service on a trial basis.

2) MCI's 800 service tariff contains a provision limiting the use of the service to interLATA traffic.

3) MCI has advised its 800 service test customers, and will advise its future customers, that they should not use MCI's services to complete intraLATA calls.

4) There is no need to condition the approval of the filing upon MCI's abiding by the "holding out" restrictions; should MCI or any other carrier violate the terms set down in D. 84-06-113 the Commission would have appropriate remedies available to it without imposing a separate condition upon approval of this tariff.

5) The technology Pacific would use to carry out screening functions is embodied in an 800 data base being developed by Bellcore. This Bellcore developed data base would, in addition to screening, enable Bell Operating Companies to provide many other functions which, MCI has argued before the United States District Court, would constitute the provision of interexchange service in violation of the terms of the Modification of Final Judgement.

We agree with MCI that Pacific's protest should be denied. Ordering Paragraph 1 of Decision 84-06-113 prohibits persons not authorized by the Commission to provide intraLATA telecommunications to hold out the availability for such services, and requires them to advise their subscribers that intraLATA communications should be placed over the facilities of the local exchange company. MCI's filing specifically indicates that use of its 800 service is limited to interLATA traffic. In its response to Pacific's protest MCI has assured the Commission that it has advised its existing 800 service test customers, and will advise its future customers, that they should not use MCI's services to complete intraLATA calls. We find MCI's actions in accordance with Ordering Paragraph 1 of Decision 84-06-113. Further, Ordering Paragraph 2 of Decision 84-06-113 not only authorizes but orders Pacific to block unauthorized intraLATA traffic upon full implementation of equal access within a LATA. We therefore find it not necessary at this time to impose on MCI's filing the additional conditions Pacific suggests before Advice Letter No. 30 is made effective.

The Commission finds that the rates, charges and conditions authorized in this Resolution are just and reasonable and present rates, charges and conditions, as they differ from the rates, charges and conditions authorized in this Resolution are for the future unjust and unreasonable; and good cause appearing,

IT IS ORDERED that:

Pacific Bell's protest to MCI Advice Letter No. 30 is denied.

I certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on April 22, 1987. The following Commissioners approved it:



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Executive Director

STANLEY W. HULETT  
President

DONALD VIAL  
FREDERICK R. DUDA  
G. MITCHELL WILK  
JOHN B. CHANIAN  
Commissioners