

Original

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION NO. T-12060
January 13, 1988

R E S O L U T I O N

ALL CALIFORNIA TELEPHONE CORPORATIONS FURNISHING CELLULAR
RADIO TELEPHONE SERVICE. ORDER REQUIRING COMPLIANCE WITH
PUBLIC UTILITIES CODE SECTION 2886.

SUMMARY

Section 2886 of the Public Utilities Code, as added by Senate Bill No. 2029 (Ch. 1227), was approved by the Governor on September 26, 1986. Section 2886 of the Code orders the Commission to require that all telephone corporations furnishing cellular radio service to set up a billing system that would distinguish on a customer's billing invoice, the charges for calls not completed from any other service charge. Further, the Commission is ordered to require that those cellular telephone calls which are not completed not be charged more than 50 percent of the charge established for completed subscriber initiated calls.

BACKGROUND

Prior to the requirements established by Public Utilities Code Section 2886, the only cellular carriers charging for calls not completed were those providing service in the Los Angeles Metropolitan Statistical Area (MSA). Upon addition of Section 2886 to the Public Utilities Code, the facilities-based carriers in Los Angeles (i.e., PacTel and Los Angeles Cellular), along with several cellular resellers, filed tariff provisions attempting to fulfill the requirements of the newly added section. The companies, however, were never formally ordered by the Commission to comply. The facilities-based carriers and the several resellers filed advice letters adding a provision which revised the chargeable time originated by a cellular mobile unit. This provision established a 50% reduction in charges for cellular initiated calls which are not completed, as defined in the statute.

DISCUSSION

Since Los Angeles is the only market in which incomplete calls are charged for at all, staff informally notified the facilities-based cellular carriers in Los Angeles of the 50% rate for calls not completed. These facilities-based carriers modified their tariffs, and billing data collection process to account for this 50% reduction in airtime usage rates for incomplete calls. The billing data, which is only collected by the facilities-based carrier, is used in the billing of their own retail customers, and those retail customers of their underlying resellers. Thus, all bills will indicate charges for incomplete calls at a 50% reduction. Public Utilities Code Section 2886 clearly indicates, however, that the customer billing invoice shall distinguish the charges for calls not completed, from all other service charges. Unless customer bills are explicitly marked to indicate the specific reductions, customers may not be able to identify the charges for incomplete calls.

FINDINGS

The Commission finds that the requirements of Public Utilities Code Section 2886 have not been fulfilled.

IT IS ORDERED that:

(1) Within thirty (30) days of the date of this resolution, all telephone corporations providing cellular service, and charging for calls not completed, shall file advice letters to include 1) a provision indicating at least a 50% reduction in chargeable time for cellular initiated telephone calls which are not completed; 2) a sample customer billing statement which clearly distinguishes charges for cellular initiated telephone calls which are not completed, from any other service charge on the billing invoice.

(2) Advice letters, to be filed with the Commission Advisory and Compliance Division, shall be effective 15 days after filing.

(3) All tariff sheets associated with the above mentioned advice letters filings shall be marked to show that they have been authorized by this resolution.

(4) The Executive Director shall send copies of this resolution to all California telephone corporations furnishing cellular radio telephone service.

I certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on January 13, 1988. The following Commissioners approved it:

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



Executive Director

Commissioner Stanley W. Hulett
being necessarily absent, did
not participate.