

## PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION RESOLUTION T-14069  
Telecommunications Branch May 4, 1990

R E S O L U T I O N

RESOLUTION T-14069. REQUEST BY PACIFIC BELL TO REVISE RULE NO. 11, "DISCONTINUANCE AND RESTORATION OF SERVICE," TO ADDRESS THE NONPAYMENT OF BILLS FOR LOCAL EXCHANGE CARRIER (LEC) CALIFORNIA 976 AND/OR CALIFORNIA 900 TRANSPORT SERVICE.

BY ADVICE LETTER NO. 15707, FILED ON MARCH 12, 1990, ADVICE LETTER SUPPLEMENT NO. 15707A, FILED ON APRIL 6, 1990 AND ADVICE LETTER SUPPLEMENT NO. 15707B, FILED ON APRIL 27, 1990.

SUMMARY

This resolution authorizes Pacific Bell's (Pacific's) request in Advice Letter No. 15707, as supplemented by No. 15707A and 15707B, to revise Rule No. 11, "Discontinuance and Restoration of Service," to address the nonpayment of bills for local exchange carrier (LEC) California 976 and/or California 900 transport service. Pacific will be permitted to disconnect a California 900 and/or 976 IP subscriber's originating service if the IP subscriber fails to pay another LEC for call transport provided; and the LEC does not provide billing and collection service to the IP. Pacific is ordered to notify all California 976 and 900 IP subscribers of the new rule authorized herein, within three billing cycles following the effective date of this resolution.

BACKGROUND

On July 14, 1989, Pacific established 900 service ("Information Calling Service") as authorized in D.89-03-061. On March 29, 1990, GTE-California (GTEC) established the offering of intraLATA transport service to information providers (IPs) subscribing to Pacific's (900)303 prefix for "harmful matter" programs. Preparatory to offering this transport service, GTEC raised the concern that it is unable to disconnect service for nonpayment of transport charges, since the IP is not GTEC's originating service subscriber. Pacific agreed to modify its tariff to permit it to disconnect a California 900 and/or 976 IP subscriber's originating service if:

1. The IP subscriber fails to pay another local exchange company (LEC) for call transport provided; and

2. The LEC does not provide billing and collection service to the IP.

On March 16, 1990, Pacific filed Advice Letter No. 15707 to make this modification; filed Supplement A on April 6, 1990 to correct an error and revise the notification period to conform with existing rules; and filed Supplement B on April 27, 1990, to further clarify the applicability. GTEC included comparable language in its Advice Letter No. 5241 filed on February 16, 1990, to offer intraLATA transport service to Pacific's (900)303 IP subscribers. With no protests received by the Commission Advisory and Compliance Division (CACD), GTEC's advice letter and accompanying tariff sheets became effective on March 29, 1990.

#### PROTESTS

The CACD has received no protests to Advice Letter No. 15707.

#### DISCUSSION

In Advice Letter No. 15707, as supplemented, Pacific proposes to apply the same language it currently has in Rule 11, "Discontinuance and Restoration of Service," to its California 900 and 976 IP subscribers who receive transport services only from other LECs for their California 900 and/or 976 service. The addition of this language closes a "loophole" which permits IP subscribers to Pacific's California 900 and/or 976 to escape any consequences for failure to pay charges associated with the transport of California 900 and/or 976 calls by other LECs.

If the LEC providing transport services also bills and collects for the California 900/976 IP, the LEC has some leverage with a delinquent IP. If the LEC provides transport services only, it has no leverage over the IP at all, since it cannot block calls to the IP whose service originates in Pacific's territory.

In making disconnection for nonpayment available only to those LECs who do not bill and collect for California 900/976 IPs, Pacific takes the least restrictive route to limiting the risk to those LECs. However, this tariff revision does produce more restrictive conditions for California 900 and 976 subscribers, so must be authorized by the Commission pursuant to General Order 96-A, Section VI. In order to ensure that its California 900 and 976 IP subscribers are fully informed about this new rule, Pacific should be required to notify them within a reasonable timeframe.

#### FINDINGS

1. In Advice Letter No. 15707, as supplemented, Pacific proposes to apply the same language it currently has in Rule 11, "Discontinuance and Restoration of Service," to its California 900 and 976 IP subscribers who receive transport services only from other LECs for their California 900 and/or 976 service.

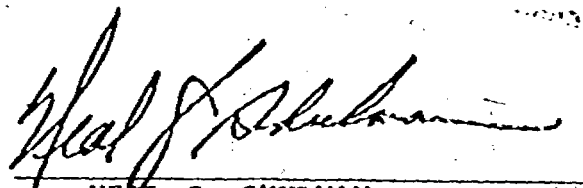
2. GTEC included language comparable to Pacific's proposal in its Advice Letter No. 5241 filed on February 16, 1990, and no protests were received by the Commission Advisory and Compliance Division (CACD). GTEC's advice letter and accompanying tariff sheets became effective on March 29, 1990.
3. In making disconnection for nonpayment available only to those LECs who do not bill and collect for California 900/976 IPs, Pacific takes the least restrictive route to limiting the risk to those LECs.
4. This tariff revision will result in more restrictive conditions for California 900 and 976 subscribers, so must be authorized by the Commission pursuant to General Order 96-A, Section VI.
5. In order to ensure that its California 900 and 976 IP subscribers are fully informed about this new rule, Pacific should be required to notify them within a reasonable timeframe.
6. The CACD has received no protests to Advice Letter No. 15707.
7. The terms and conditions proposed in Advice Letter No. 15707, as supplemented, are just and reasonable; therefore,

IT IS ORDERED that:

1. Pacific Bell's request in Advice Letter No. 15707, as supplemented by No. 15707A and 15707B, to revise Rule No. 11, "Discontinuance and Restoration of Service," to address the nonpayment of bills for local exchange carrier (LEC) California 976 and/or California 900 transport service is authorized.
2. Pacific shall notify all California 976 and 900 IP subscribers of the new rule authorized herein, within three billing cycles following the effective date of this resolution.
3. Advice Letters No. 15707, 15707A, 15707B and their accompanying tariff sheets shall be marked to show that they were authorized by this Resolution T-14069 and the effective date.
4. The effective date of this resolution is today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on May 4, 1990. The following Commissioners approved it:

G. MITCHELL WILK  
President  
FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

  
NEAL J. SHULMAN  
Executive Director