

CA-79

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Commission Advisory and Compliance Division
Telecommunications Branch

RESOLUTION T-14432
June 5, 1991

R E S O L U T I O N

RESOLUTION T-14432. BAKERSFIELD CELLULAR TELEPHONE COMPANY. RESOLUTION ESTABLISHING CELLULAR RADIOTELEPHONE SERVICE DOWNWARD PRICING FLEXIBILITY PER TEMPORARY TARIFF AUTHORITY PURSUANT TO ORDERING PARAGRAPH NO. 8 OF DECISION 90-06-025, AS MODIFIED BY DECISION 90-10-047.

BY ADVICE LETTER No. 18, FILED ON APRIL 2, 1991.

SUMMARY

This Resolution authorizes Bakersfield Cellular Telephone Company to exercise downward pricing flexibility to its resale cellular radiotelephone services per Decision (D.) 90-06-025, as modified by D.90-10-047. This authority allows Bakersfield Cellular Telephone Company to make temporary tariff filings for reductions which will not impact an average customer's bill by more than ten percent (10%). No protests were received.

BACKGROUND

D.90-06-025, as modified by D.90-10-047, authorized cellular radiotelephone utilities (resellers and facility-based carriers) to make rate reduction tariff filings which will not affect an average customer's bill by more than ten percent (10%). Such offers can be classified as a temporary tariff and made effective on the date filed. According to Ordering Paragraph 8.b.(2) of the modified Decision:

"If a protest is filed, the tariff shall remain a temporary tariff until the protest has been resolved or by order of the Commission; if, within six months of the filing of the temporary tariff, no resolution of the protest takes place and the Commission does not act, the protest shall be deemed denied and the tariff shall be classified as a permanent tariff pursuant to the terms of the tariff provisions."

The Commission requires cellular utilities, prior to making use of such temporary tariff filings, to make annual filings to establish a range of downward pricing flexibility. The initial filing shall be effective only upon Commission resolution; subsequent filings to renew this authority shall be through 40-day effective date advice letters.

June 5, 1991

The Commission also requires that the advice letters requesting temporary tariff authority contain calculations sufficient to support the requested range of flexibility. Utilities can request less than the maximum ten percent of the average customer bill as the allowed range, but must file a further advice letter if they wish later to expand the range. In addition, D.90-06-025 does not permit temporary tariff filings to increase any rate element.

On April 2, 1991, Bakersfield Cellular Telephone Company (Bakersfield Cellular), a facilities-based carrier in the Bakersfield Metropolitan Service Area (MSA), requested authority to file temporary tariffs authorized by D.90-06-025 by filing Advice Letter No. 18 for its services. Bakersfield Cellular submitted certain proprietary information to the Commission Advisory and Compliance Division (ACD), under seal of confidential treatment pursuant to General Order No. 66-C to support its requested range of pricing flexibility.

NOTICE/PROTESTS

A copy of the advice letter was served on competing and adjacent utilities on April 2, 1991. No protests were received regarding this filing.

DISCUSSION

In Resolution T-14126, dated September 12, 1990, the first resolution granting temporary tariff filing authority, the Commission encouraged the sharing of supporting information submitted under seal of confidential treatment between the utility and interested parties through a mutually satisfactory nondisclosure agreement. The Commission also decided to include in any resolution granting a utility temporary tariff authority, basic information supplied in the supporting calculation. We are providing as a standard procedure, a summary of the methodology of calculation, period used to estimate requested average customer bill, the components of the retail average customer bill, and the range of the average monthly bill.

In determining its average monthly retail subscriber bill, Bakersfield Cellular took the total service revenues and total number of subscribers for the period of October 1990 through March 1991, and divided each total by six to obtain average monthly revenue and subscribers. The average monthly revenue was divided by the average monthly number of subscribers to obtain the average monthly retail subscriber bill. The components of Bakersfield Cellular's service revenues include the activation charges, monthly service charges, usage charges, and roamer charges. Bakersfield Cellular's average monthly retail subscriber bill was found to be in the range of \$90 to \$130.

ACD has reviewed the submitted information supporting the requested range of downward pricing flexibility and has determined it to be sufficient.

D.90-06-025 does not permit cellular facilities-based carriers to use temporary tariffs to make rate changes that reduce the

June 5, 1991

current margin between wholesale and retail rates until revisions to the cellular Uniform System of Accounts (USOA) which would establish cost-allocation methods for any carrier's wholesale and retail operations are authorized. Furthermore, temporary tariff filings as authorized by D.90-06-025 may not be used to increase any rate element.

FINDINGS

1. Bakersfield Cellular has submitted sufficient information and calculations in its Advice Letter No. 18 and associated proprietary submittal to CACD to support its requested range of downward pricing flexibility.
2. Temporary tariff filings may not be used to increase any rate element.
3. Temporary tariff filings may not be used to make rate changes that reduce the current margins between wholesale and retail rates until a revised USOA has been ordered by the Commission.

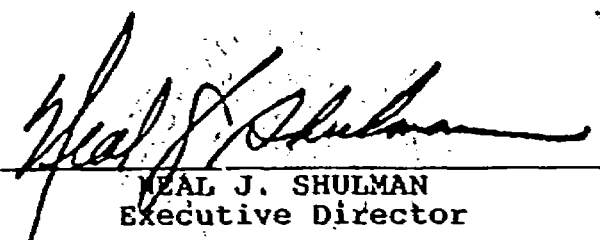
THEREFORE, IT IS ORDERED that:

1. Bakersfield Cellular Telephone Company is authorized to file, as temporary tariffs effective immediately, rate reductions which will not impact an average customer's monthly bill by more than ten percent (10%) at any one time.
2. Such temporary tariff filings shall become permanent pursuant to the conditions established in Ordering Paragraph No. 8 of Commission Decision 90-06-025, as modified by Decision 90-10-047.
3. This temporary tariff authority is valid for a period of one year from the effective date of this Resolution and may be renewed annually by 40-day effective date advice letters.
4. Bakersfield Cellular Telephone Company shall not use temporary tariffs to make rate changes that reduce the current margins between wholesale and retail rates until a revised USOA is put in place by further Commission decision.

This Resolution is effective today.

I certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on June 5, 1991. The following Commissioners approved it:

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


NEAL J. SHULMAN
Executive Director