

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION
Telecommunications BranchRESOLUTION T-14539
August 7, 1991R E S O L U T I O NRESOLUTION T-14539. MOBILECOMM OF CALIFORNIA, INC.
ORDER AUTHORIZING A 30-DAY ADVANCE WRITTEN NOTICE TO THE
UTILITY FOR DISCONTINUANCE OF SERVICE.

BY ADVICE LETTER NO. 14, FILED ON MAY 28, 1991.

SUMMARY

This resolution authorizes Mobilecomm of California, Inc. (Mobilecomm), to institute a 30-day advance written notice to the utility by customers requesting discontinuance of service. The utility will hold a subscriber responsible for all services rendered until the date service is to be discontinued, except that if termination occurs prior to the expiration of a minimum contract period, the charges that will be imposed will be those of the full initial contract period.

BACKGROUND

Mobilecomm is a mobile radio communications utility that provides paging and signaling service, and two-way communication service. By Advice Letter No. 14, Mobilecomm is proposing to impose a 30-day advance written notice to the utility by customers requesting discontinuance of service.

Presently, there is no specified form or number of days whereby a subscriber may give notice of discontinuance of service. If a notice of a customer's desire to terminate service is received, the utility will hold the subscriber responsible for all services rendered up to his intended specified discontinuance date. If termination occurs within the initial contract period (i.e. first 30 days), charges will apply for the full initial contract period.

The primary purpose for Mobilecomm's Advice Letter No. 14 is to discourage users from signing up for service, and terminating shortly thereafter. There are expenses incurred in processing and activating a number, and a holding period prior to any reassignment of numbers. Presently, Mobilecomm's minimum service contract is 30 days.

NOTICE/PROTESTS

Public notice that Mobilecomm filed Advice Letter No. 14 requesting authority to institute a 30-day advance written notice

August 7, 1991

to the utility by customers requesting discontinuance of service appeared in the California Public Utilities Commission's May 30, 1991 Daily Calendar. Mobilecomm provided the Commission with a copy of the Notice to Customers which was included in its August billing and mailed mid-July.

No protests were filed on Mobilecomm's Advice Letter No. 14.

DISCUSSION

In reviewing Advice Letter No. 14, we note the following:

- a. Mobilecomm's proposed 30-day written notification for discontinuance of service is just and reasonable. It is not contrary to public policy.
- b. To prevent confusion and for the specific purpose it serves, rules and procedures normally indicate specific dates and time frames. For instance, General Order (G.O.) No. 96-A, Sections IV., V., and XII specifies when a tariff filing will become effective or what is the required number of days notification, when a public toll station will be opened or closed. In the same manner, Mobilecomm is proposing a 30-day written notification for discontinuance of service, not only because it is an existing practice in the industry, but primarily to institute a specific time frame that will serve its operational and accounting requirements. This will prevent conflicts, confusion, and excessive handling of numbers, as well as discourage short-lived service contracts.
- c. The 30-day notice will be consistent with the utility's minimum initial contract period for service and facilities of one month. Under the present discontinuance rule, a customer may terminate service any time, and be exonerated from the 30-day minimum initial contract period.
- d. When a customer requests termination of service, the carrier cannot immediately reassign the number to a new customer. Instead, the company must hold the number for a certain period so that the public has sufficient "notice" that the number no longer belongs to the original subscriber. Again, the element of time and some form of notice is required.
- e. G.O. No. 96-A requires Commission authorization for any tariff change which will result in a lesser service or more restrictive conditions at the same rate or charge.

With the foregoing, it is established that Advice Letter No. 14 meets the requirements set forth in G.O. 96-A, and should therefore be approved.

August 7, 1991

FINDINGS

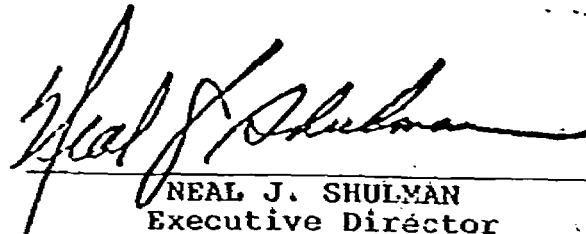
1. Mobilecomm filed Advice Letter No. 14 on May 28, 1991 requesting Commission authorization to modify its rule on discontinuance of service to adopt a 30-day policy for administrative and operational requirements.
2. The Advice Letter conforms to the requirements of G.O. No. 96-A.
3. Authorization of Advice Letter No. 14 will be consistent with Mobilecomm's minimum service contract requirement.
4. Mobilecomm's 30-day requirement for discontinuance of service as authorized in this resolution is just and reasonable.

THEREFORE, IT IS ORDERED that:

1. Authority is granted to make Advice Letter No. 14 effective on August 7, 1991.
2. The Advice Letter and tariff sheets referred to herein shall be marked to show that they were authorized under Resolution of the Public Utilities Commission of the State of California No. T-14539.

The effective date of this Resolution is today.

I certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on August 7, 1991. The following Commissioners approved it:


NEAL J. SHULMAN
Executive Director

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

Commissioner Daniel Wm. Fessler, being necessarily absent, did not participate.