

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY & COMPLIANCE DIVISION
Telecommunications Branch

RESOLUTION NO. T-14541
July 12, 1991

R E S O L U T I O N

RESOLUTION T-14541. MOUNTAIN CELLULAR. EXECUTIVE AUTHORITY TO CORRECT A DISCREPANCY IN THE TARIFF SHEETS PERTAINING TO THE PRESCRIBED INITIAL BLOCK OF ACCESS NUMBERS AND SUBSEQUENT BLOCKS FOR WHOLESALE CUSTOMERS.

BY ADVICE LETTER NO. 12, FILED ON MAY 20, 1991.

SUMMARY

This Executive Director Action Resolution authorizes Mountain Cellular (MC) to correct a discrepancy in its Rule No. 3, Availability of Service and Provision of Access Numbers and its Bulk and Wholesale Rates Schedule. There are no wholesale customers affected or requests for wholesale service.

BACKGROUND

MC is a cellular radio telecommunications utility, operating within the El Dorado Rural Service Area (RSA). By Advice Letter No. 12, filed May 20, 1991, MC requests authority to correct a discrepancy in its Rule No. 3, Availability of Service and Provision of Access Numbers and the access charge provision under its Bulk and Wholesale Rates Schedule. Both items are included in MC's initial tariff filing and no revisions were made since Advice Letter No. 1 was filed on August 4, 1990. Rule No. 3 states that MC shall provide the wholesale customer with access numbers and usage only in blocks consisting of ten (10) access numbers, with a required initial purchase of fifty (50) access numbers. The access charge under MC's Bulk and Wholesale Rates indicates a minimum initial order of twenty five (25), and subsequent order in blocks of five (5) numbers.

MC wishes to make a housekeeping change and correct the discrepancy by adopting Rule No. 3's minimum initial order of 50 access numbers and subsequent order in blocks of 10 in its access charge tariff. There is no customer impact since MC neither provided service to any certificated reseller at the time it originally filed its tariffs, nor provides service to any resellers at this time.

General Order (G.O.) No. 96-A, Section VI provides that the tariff schedules of a utility may not be changed whereby any rate

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or charge is increased, or any condition or classification changed so as to result in an increase, or any change made which will result in a lesser service or more restrictive conditions at the same rate or charge, until a showing has been made before the Commission and a finding by the Commission that such increase is justified.

Resolution No. A-4661 (March 9, 1977) authorizes the Executive Director to sign orders (which include resolutions) involving correction of inadvertent errors (typos, omissions, etc.).

NOTICE/PROTESTS

Public notice that MC filed Advice Letter No. 12 requesting authority to correct a discrepancy in its tariffs appeared in the California Public Utilities Commission's May 21, 1991 Daily Calendar. In addition, copies of MC's Advice Letter No. 12 were mailed to competing and adjacent utilities in accordance with G.O. No. 96-A, Section III.G.

MC neither provided service to any certificated reseller at the time it originally filed its initial tariffs nor provides service to any resellers at this time. There is no customer impact.

No protests have been received by the Commission Advisory and Compliance Division (CACD).

DISCUSSION

Advice Letter No. 12 also proposes other clarifications and corrections which do not require Commission authorization. However, because the request to modify the minimum initial order and the number of subsequent order under its Access Charge tariff requires Commission authority, Advice Letter No. 12 in its entirety may not become effective until such authority is granted herein.

FINDINGS

1. MC has certified that it has no existing wholesale customers nor pending requests for service to be furnished at wholesale.
2. Rule No. 3, Availability of Service and Provision of Access Numbers and the provision for Access Charge for Bulk and Wholesale Rates are part of MC's initial tariff filing, Advice Letter No. 1, filed August 24, 1990. MC requests authority to keep the minimum initial order and number of subsequent order uniform throughout its rules and wholesale tariffs, as well as, consistent with the original intent of its initial advice letter.

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3. G.O. No. 96-A requires Commission authorization for any change in the tariff schedule of a utility of any condition or classification which will result in a lesser service or more restrictive conditions at the same rate or charge.

4. The Commission finds that MC's request to correct the discrepancy that exists in its rules and wholesale tariffs pertaining to ordering access numbers is proper and justified. It will promote correct and uniform information and will prevent confusion.

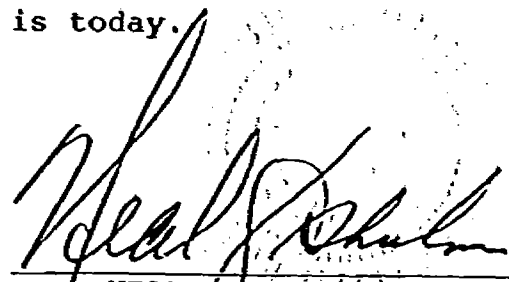
5. Resolution A-4661 authorizes the Commission's Executive Director to sign orders involving correction of inadvertent errors.

Therefore, under the authority vested in the Executive Director by Resolution A-4661, IT IS ORDERED that:

1. MC is authorized to correct its access charge provision according to its Rule No. 3, as requested in Advice Letter No. 12.

2. All tariff sheets filed under Advice Letter No. 12 shall be marked to show that such sheets related to a deviation which was authorized by Resolution of the Public Utilities Commission of the State of California No. T-14541.

The effective date of this Resolution is today.



NEAL J. SHULMAN
Executive Director