

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION RESOLUTION T-14690
Telecommunications Branch November 20, 1991

R E S O L U T I O N

RESOLUTION T-14690. GTE CALIFORNIA INCORPORATED,
REQUEST TO PROVIDE DIGITAL CHANNEL SERVICE TO JEFFERIES
& COMPANY INCORPORATED UNDER A CUSTOMER SPECIFIC
CONTRACT.

BY ADVICE LETTER NO. 5352, FILED OCTOBER 1, 1991.

SUMMARY

GTE California Incorporated (GTEC) by Advice Letter No. 5352, filed on October 1, 1991 requests authority under General Order No. 96-A (G.O. 96-A) to provide Digital Channel Service to Jefferies & Company Incorporated (Jefferies) under a customer specific contract.

This Resolution authorizes GTEC to provide Digital Channel Service to Jefferies under a customer specific contract. GTEC's estimated impact of this filing is an increase in monthly revenue of \$1,300. No protests to the Advice Letter were filed.

BACKGROUND

Digital Channel Service is an intraexchange multifunctional service which provides access transport between the customer's premises and the serving central office over a single high-capacity digital facility on a channelized basis.

On December 24, 1990 GTEC filed Application No. 90-12-069 requesting authority to provide Digital Channel Service to end users. No decision in this application has yet been issued. GTEC's customer, Jefferies, has an urgent need for this service and cannot wait for the Commission's decision. By Advice Letter No. 5352 GTEC is requesting authority to provide this service to Jefferies in the interim by special contract. This contract will terminate (a) in five years or (b) on the effective date of the tariff resulting from the decision on Application No. 90-12-069, whichever is sooner. If the contract is terminated for the latter cause, the service will be provided by tariff.

NOTICE/PROTESTS

GTEC states that a copy of the Advice Letter was mailed to those interested utilities and/or parties indicated in its letter to the Commission dated June 5, 1985. Also the Advice Letter was listed in the Commission's Daily Calendar of October 4, 1991.

DISCUSSION

Application No. 90-12-069 is now unopposed and under submission. Normally we prefer not to expend the limited resources of this Commission on a special contract that may well terminate in two to three months. However, Jefferies is moving into a new facility and cannot wait two or three months for this service, which, without an existing tariff, can only be provided by special contract. Under this unusual circumstance we will consider this advice letter filing on its merits.

The rates and charges for this contract are the same as those contained in the current application.

We conclude that the Advice Letter meets the requirements set forth in D.88-09-059 and G.O. 96-A. However, we must emphasize that our approval is based on the specifics of the Advice Letter and the associated contract, and does not establish a precedent for the contents or for Commission approval of similar requests.

FINDINGS

1. GTEC filed Advice Letter No. 5352 October 1, 1991 requesting Commission authorization to provide Digital Channel Service under a customer specific contract.
2. The advice Letter and the contract conform to the requirements of Decision No. 88-09-059 and G.O. 96-A.
3. GTEC estimates that authorization of the Jefferies contract will result in an increase in GTEC's monthly revenue of \$1,300.
4. Commission authorization of the Advice Letter and the contract does not establish a precedent for the contents of the filing, or the Commission approval of similar requests. Commission approval is based on the specifics of the Jefferies contract.
5. The rates, charges, terms and conditions of the contractual service in this Resolution are just and reasonable, for the term of the contract.

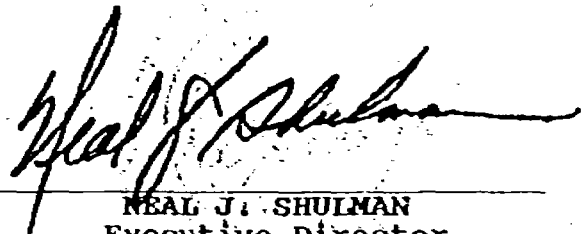
6. The term of this contract is five years or until the rates are made effective pursuant to a decision in Application No. 90-12-069, whichever is sooner.

THEREFORE, IT IS ORDERED that:

1. Authority is granted to make Advice Letter No. 5352 and the contract between GTEC and Jefferies & Company Incorporated effective on November 21, 1991.
2. The term of the contract shall be limited to a period of five years or until the rates are made effective pursuant to a decision in Application No. 90-12-069, whichever is sooner.
3. The Advice Letter, tariff sheets and contract authorized herein shall be marked to show that they were authorized under Resolution of the Public Utilities Commission of the State of California No. T-14690.

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 November 20, 1991. The following Commissioners approved it:



NEAL J. SHULMAN
Executive Director

PATRICIA M. ECKERT
President
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

Commissioner John B. Ohanian,
being necessarily absent, did
not participate.