

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION RESOLUTION T-14691
Telecommunications Branch November 20, 1991

R E S O L U T I O N

RESOLUTION T-14691. PACIFIC BELL. ORDER CONCERNING
PACIFIC BELL'S REQUEST TO PROVIDE CENTREX SERVICE AND
HIGH CAPACITY DIGITAL SERVICE TO PENN NATIONAL MORTGAGE
CORPORATION UNDER A CUSTOMER SPECIFIC CONTRACT.

BY ADVICE LETTER NO. 16087, FILED ON OCTOBER 22, 1991.

SUMMARY

Pacific Bell (Pacific), by Advice Letter No. 16087, filed on October 22, 1991 requests authority under provisions of General Order No. 96-A (G.O. 96-A) and Decision Nos. (D.) 88-09-059 and 91-01-018 to deviate from filed tariff schedules in order to provide Centrex service and High Capacity Digital Service to Penn National Mortgage Corporation (Penn National) under a customer specific contract. Penn National currently takes Centrex service via a T-1 line (High Capacity Digital Service) under tariff.

This Resolution authorizes Pacific to provide Centrex service and High Capacity Digital Service to Penn National under a contract at rates which are discounted from the tariff rates. Pacific estimated that the revenue impact of this filing is a decrease in annual revenue of \$16,573 over the life of the contract. No protests to the Advice Letter were filed.

BACKGROUND

In D.88-09-059 the Commission adopted a modified Phase I Settlement (hereinafter referred to as the Settlement). Under the provisions of the Settlement, the Local Exchange Companies (LECs) are allowed to provide certain services, such as Centrex service, under the terms of contracts between LECs and customers. The Settlement provides that such contracts become effective upon authorization by the Commission.

The process and requirements for filing of advice letters to request authorization of customer specific contracts are set forth in Appendix A of D.88-09-059. Additional specifications for advice letter filings requesting authorization to provide Centrex service under contract are provided in Resolution Nos. T-13091 and T-13069.

D.90-04-031 further requires that special contracts comply with the principles of unbundling, nondiscriminatory access, imputation, and basing rate structures of monopoly utility services on underlying cost structures. However, D.91-01-018 has tempered this requirement until a further decision on this matter is issued. In the interim, LECs may file advice letters for Centrex contracts using the pricing methodology approved by the Commission in D.88-09-059.

The contract filed under Advice Letter No. 16088 covers the provision of Centrex service and a T-1 line to Penn National. Centrex is a central office based communications system equipped with primary station lines capable of receiving direct in-dialed calls and capable of direct out-dialing of calls with optional features. A T-1 line is a dedicated private line channel service (commonly called High Capacity Digital Service) suitable for the transmission of digital signals at a speed of up to 1.544 Mbps.

Under the terms of the contract, Pacific agrees to provide Centrex service (163 station lines and features at cutover) via a T-1 line to Penn National for a period of five years at a monthly rate of \$4,993. A maximum of 32 growth lines at a monthly rate of \$25.05 per line may be added to the system over the life of the contract. Nonrecurring charges for growth lines will be at the prevailing tariff rate. Pacific indicates that Commission authorization of this contract will result in a decrease in annual revenue of \$16,573 over the life of the contract.

NOTICE/PROTESTS

Pacific states that a copy of the Advice Letter and related tariff sheets was mailed to competing and adjacent utilities and/or other utilities and to the customer named in the contract. Also the Advice Letter was listed in the Commission's Daily Calendar of October 25, 1991.

No protests have been filed on Pacific's Advice Letter No. 16087.

DISCUSSION

In reviewing Advice Letter No. 16087, we note the following.

- a. The contract contains the necessary language which conditions its approval upon Commission authorization.
- b. The Advice Letter and the contract are public documents.
- c. Pacific requests in the Advice Letter that the workpapers and supporting cost documentation associated with the contract be treated as confidential.
- d. Pacific has offered the parties to the Phase I Settlement in I.87-11-033 the opportunity to receive and review the workpapers and supporting documentation associated with the contract if such a party (Division of Ratepayer Advocates excepted from this requirement) first enters into a protective agreement.

e. The contract provides for the offering of Centrex service and High Capacity Digital Service which are appropriate services for offering under a contractual arrangement.

f. The rates and charges set forth in the contract cover the direct embedded cost of providing the services offered under the terms of the contract.

g. The monthly rate per line, excluding nonrecurring charges, for Centrex service under the terms of the contract is greater than the sum of the present one-party business measured service rate and the multi-line End User Common Line charge per month per line (1MB+EUCL).

h. The Advice Letter indicates that the costs and revenues associated with the contract will be tracked.

i. A contract is required in this case because the customer requires a fixed price contract that is competitive with PBX alternatives; this requirement cannot be met by the Centrex service available under Pacific's present tariff.

j. Pacific has offered to provide the customer deaveraged PBX trunk rates under contract, at rates determined by the same cost methodology used to determine the contract Centrex line rate.

We conclude that the Advice Letter meets the requirements set forth in the previously mentioned Commission orders and G.O. 96-A, and should be approved. 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. Pacific Bell filed Advice Letter No. 16087 on October 22, 1991 requesting Commission authorization to provide Centrex service and High Capacity Digital Service to Penn National under a customer specific contract.

2. The Advice Letter and the contract conform to the requirements of Decision Nos. 88-09-059 and 91-01-018, Resolution Nos. T-13069 and T-13091, and G.O. 96-A.

3. Authorization of the Penn National contract will result in an estimated decrease in Pacific's annual revenue of \$16,573 for the life of the contract.

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 Penn National contract.

5. The rates, charges, terms and conditions of the services in this Resolution are just and reasonable.

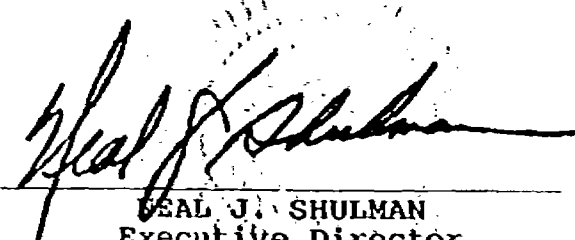
THEREFORE, IT IS ORDERED that:

1. Authority is granted to make Advice Letter No. 16087 and the contract between Pacific Bell and Penn National Mortgage Corporation effective on November 21, 1991.

2. 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-14691.

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.