

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY & COMPLIANCE DIVISION
Telecommunications BranchRESOLUTION NO. T-14763
January 10, 1992

R E S O L U T I O N

RESOLUTION T-14763. PACIFIC BELL. REQUEST TO PROVIDE FARMER LINE SERVICE TO ONE (1) SUBSCRIBER LOCATED IN UNFILED TERRITORY CONTIGUOUS TO ITS DOWNIEVILLE EXCHANGE.

BY ADVICE LETTER NO. 16079, FILED ON OCTOBER 10, 1991.

SUMMARY

Pacific Bell (Pacific) filed Advice Letter No. 16079, dated October 10, 1991, requesting authority to deviate from its filed tariffs Schedule Cal. P.U.C. A5.2.5 (Exchange Services - Farmer Line Service) and Schedule Cal. P.U.C. A5.10 (Exchange Services - Exchange Area Maps), to provide Farmer Line Service to one (1) customer located in unfiled territory.

Pacific's request is in response to the request of Dolores and Gregory Bulanti, who reside in unfiled territory on National Forest lands outside the Downieville Exchange. Pacific proposes to connect the customer's facilities to its facilities inside the exchange boundary in the northwestern portion of the Downieville Exchange. Pursuant to Pacific's existing Farmer Line Service tariffs, the customer will be responsible for maintaining all facilities from the point of connection with Pacific's facilities near the Downieville Exchange boundary. Service will be provided pursuant to Schedule Cal. P.U.C. A5.2.5, Exchange Services - Farmer Line Service, as modified by this Resolution.

This Resolution approves, with modifications, Pacific's request to deviate from its filed tariffs to provide Farmer Line Service in unfiled territory. While the Bulantis are located outside of Pacific's filed territory, they will be Pacific Bell customers and will be treated in all respects like other customers who are located in Pacific's filed territories.

BACKGROUND

On August 27, 1990, Dolores and Gregory Bulanti contacted Pacific requesting establishment of Farmer Line Service. Pacific determined that the Bulantis were located in unfiled territory in the Tahoe National Forest approximately one (1) mile north of the Downieville Exchange boundary. Pacific informed the Bulantis that a right of way permit would have to be obtained from the

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U. S. Forest Service (USFS), and Pacific would have to receive authority from the California Public Utilities Commission to provide service in unfiled territory. The Bulantis have obtained the requisite permit, and have a farmer line in place to meet Pacific's facilities located within the Downieville Exchange.

Pacific states that it would not be cost effective to provide service to this customer by incorporating this portion of unfiled territory into its Downieville Exchange. To do so would require surveys, permits, construction of a paved road to service facilities in the area, and construction of underground facilities required by the USFS. Pacific indicated, on the other hand, that no significant costs would be incurred to provide Farmer Line Service to this customer.

Pacific estimates that providing Farmer Line Service to this customer from the Downieville Exchange will increase annual revenues by \$95.

PROTESTS

Notice of Pacific Bell Advice Letter No. 16079 was published in the Commission Calendar on October 15, 1991. No protests have been received by the Commission Advisory and Compliance Division.

DISCUSSION

Requests for, and granting of authority to provide service in unfiled territory is a rare occurrence. The last time we took such action was on January 8, 1986, when we granted Pacific authority in Resolution T-10997 to provide Farmer Line Service to a resident located in unfiled territory.

Normally, service is provided to applicants in unfiled territory by extending exchange area boundaries to incorporate unfiled territory into existing exchanges. This is frequently done in response to, or in anticipation of population growth in areas at the fringe of existing communities. In such cases, numerous customers are involved and growth projections indicate that serving these developing areas would be cost effective. That is, population in the developing area is sufficient to justify the cost of providing and maintaining facilities and easements. None of these factors are present in the instant situation.

The unfiled territory of concern is located in the Tahoe National Forest approximately one (1) mile from the Downieville Exchange boundary. The customer requesting service resides in a century-old homestead located in a mountainous, wooded area approximately 2 miles from the nearest paved road. Because of the region's designation as a National Forest, and because of its remote and relatively inaccessible location, there is no expectation of significant future population growth in this area. For these reasons, Pacific states that it would not be cost effective to

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incorporate and maintain this area as part of its Downieville Exchange in order to serve this lone customer. To do so would require map surveys, permits, construction of a paved road to service facilities in the area, construction of underground facilities required by the USFS, in addition to routine maintenance and periodic repair costs.

We agree that incorporation of this unfiled territory would not be economical or cost effective. Our goal of universal service, however, has been to encourage high levels of customer penetration for connections to the local telephone network, while maintaining affordable rates for basic service, and making available high quality services. We believe that granting a deviation to provide Farmer Line Service in this unfiled territory is consistent with this goal. We further believe that granting this deviation is the most economical way to serve this area, and is in the best interest of all ratepayers.

Because the Farmer Line Service customer will furnish, own, and maintain facilities which will connect to Pacific's existing facilities located approximately 300 feet inside in the Downieville Exchange boundary, Pacific Bell estimates that no additional facilities costs will be incurred to serve the customer.

Schedule Cal. P.U.C. A5.2.5.B.2.d(2) allows Farmer Line Service customers located outside the base rate area of an exchange have the option of either 1) providing and maintaining facilities beyond the boundary of the base rate area, or 2) obtaining such lines and facilities from the utility by means of a private line channel in accordance with Schedule Cal. P.U.C. B3.2. Pacific states that the customer has agreed to pay, in addition to the Farmer Line rates and charges shown in Schedule Cal. P.U.C. A5.2.5.B.4.a, an annual private line channel charge as set forth in Schedule Cal. P.U.C. B3.2 for the use of Pacific's facilities extending 2.25 miles from the boundary of the base rate area to the point of connection with the customer's facilities near the Downieville Exchange boundary.

Pacific's Farmer Line Service tariff (Section B.2 - Regulations) states,

"A farmer line shall not extend across an exchange boundary except upon a foreign exchange basis, as hereinafter provided." (Schedule Cal. P.U.C. A5.2.5.B.2.c, Sheet 309)

Therefore, a deviation from this provision is necessary for Pacific to provide Farmer Line Service (extending across an exchange boundary under other than a foreign exchange basis) to a customer located in unfiled territory.

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Pacific's Farmer Line Service tariff (Section B.3 - Territory) states that service will be offered,

"Within the suburban area of a listed exchange as said areas are defined on maps filed as part of the tariff schedules." (Schedule Cal. P.U.C. A5.2.5.B.3, Sheet 312)

Again, a deviation is necessary for Pacific to provide Farmer Line Service (in an area other than that described under Section B.3, "Territory") to a customer located in unfiled territory.

Finally, Pacific's tariff Schedule Cal. P.U.C. A5.10 (Exchange Services - Exchange Area Maps) refers to sheets containing "maps of the exchanges where the utility provides service..." Thus, a deviation from this tariff schedule is needed for Pacific to provide service in areas other than those shown on Pacific's exchange area maps (i.e., in unfiled territory).

In summary, the deviation granted herein applies only to the provision in Schedule Cal. P.U.C. A5.2.5.B.2.c (Farmer Line Service - Regulations) which states that, "A farmer line shall not extend across an exchange boundary except upon a foreign exchange basis, as hereinafter provided"; Schedule Cal. P.U.C. A5.2.5.B.3 (Farmer Line Service - Territory); and Schedule Cal. P.U.C. A5.10 (Exchange Services - Exchange Area Maps). No authority is granted to deviate from any other provision in Schedule Cal. P.U.C. A5.2.5.B (Farmer Line Service) or any other tariff schedule.

Farmer Line Service will be rendered under a deviation in accordance with Pacific Bell's Rule No. 27 - List of Contracts and Deviations, and Subsection A of Section X. of General Order No. 96-A.

FINDINGS

1. It is not economical or cost effective to incorporate and maintain the unfiled territory located in the Tahoe National Forest approximately one (1) mile north of the Downieville Exchange boundary in order to serve one (1) customer.
2. By Advice Letter No. 16079, dated October 10, 1991, Pacific Bell should effectively and economically serve one (1) customer located in unfiled territory north of the Downieville Exchange under Schedule Cal. P.U.C. A5.2.5 (Farmer Line Service) by avoiding construction, maintenance, and repair costs which would result if the area was incorporated into the Downieville Exchange.
3. Granting a deviation to provide Farmer Line Service in unfiled territory is consistent with our goal of universal service.

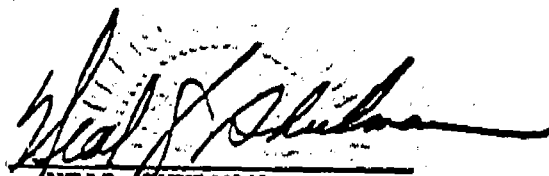
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4. It is reasonable to authorize Pacific Bell to deviate from its filed tariffs and provide Farmer Line Service to one (1) customer located in unfiled territory approximately one (1) mile outside the Downieville Exchange boundary.

THEREFORE, IT IS ORDERED THAT:

1. Pacific Bell is authorized to deviate from 1) the regulation in Schedule Cal. P.U.C. A5.2.5.B.2.c (Farmer Line Service - Regulations) which states that, "A farmer line shall not extend across an exchange boundary except upon a foreign exchange basis, as hereinafter provided"; 2) Schedule Cal. P.U.C. A5.2.5.B.3 (Farmer Line Service - Territory); and 3) Schedule Cal. P.U.C. A5.10 (Exchange Services - Exchange Area Maps) as requested in Advice Letter No. 16079.
2. No authority is granted herein to deviate from any of the other provisions in Schedule Cal. P.U.C. A5.2.5.B (Farmer Line Service) or any other tariff schedule.
3. Farmer Line Service shall be rendered to this customer under a deviation in accordance with Pacific Bell's Rule No. 27 - List of Contracts and Deviations, and Subsection A of Section X. of General Order No. 96-A.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on January 10, 1992. The following Commissioners approved it:


NEAL SHULMAN
Executive Director

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