

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION RESOLUTION T-14932
Telecommunications Branch May 8, 1992

R E S O L U T I O N

RESOLUTION T-14932. REQUEST OF PACIFIC BELL TO
MODIFY ORDERING PARAGRAPH NO. 6 OF COMMISSION
RESOLUTION T-14755, DATED MARCH 11, 1992.

BY PACIFIC BELL ADVICE LETTER NO. 16219, FILED ON
APRIL 1, 1992.

SUMMARY

This Resolution authorizes the request of Pacific Bell (Pacific) to modify Ordering Paragraph No. 6 of Resolution T-14755. Resolution T-14755, dated March 11, 1992, authorized Pacific to establish the Grass Valley South District Area Toll Rate Point effective May 11, 1992. By Advice Letter No. 16219, Pacific has requested a modification to Ordering Paragraph (O.P.) No. 6 of Resolution T-14755 which orders refunds to affected customers, and describes the timing and method for administering customer refunds.

BACKGROUND

Pacific filed Advice Letter No. 16107 on November 15, 1991 requesting authority to establish the Grass Valley South District Area Toll Rate Point after it discovered a billing error in the rating of calls to and from the Grass Valley South District Area (DA) during the implementation of Expanded Local Calling Areas ordered in Decision (D.) 90-11-058. This error was due to incorrect mileage measurements, and affected local calling areas and toll routes within a 40 mile radius of the Grass Valley South DA. This resulted in charges to some customers which were higher than those authorized in Pacific's effective tariffs.

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We authorized Pacific's request to establish the Grass Valley South DA Toll Rate Point, and 1) directed Pacific to work with Nevada County officials to establish toll-free calling to county offices, 2) ordered Pacific to undertake an Extended Area Service (EAS) study to determine the appropriateness of establishing an EAS route between the Grass Valley South DA and the Nevada City exchange, and 3) ordered Pacific to provide refunds to affected customers. Refunds were to be made in 36 monthly credits to customer bills beginning with the February, 1992 billing cycle.

PROTESTS

Notice of Pacific's Advice Letter No. 16219 was published in the Commission Calendar on April 6, 1992. The Commission Advisory and Compliance Division (CACD) received no protests to this advice letter.

DISCUSSION

By Advice Letter No. 16219, Pacific requests modifications to O.P. No. 6 for two reasons. First, O.P. No. 6 orders Pacific to provide customer refunds, "...in 36 monthly credits to customer bills..." Pacific requests that this Order be modified to allow customer refunds to be made in one lump sum on the bill round date for each exchange beginning in May, the month in which the Grass Valley South DA Toll Rate Point is established. This would allow sufficient time to properly notify all customers of the pending refunds and rate changes. Pacific indicates that the same refund results would be achieved with greater administrative ease, if customer refunds were made in one lump sum.

Second, O.P. No. 6 orders Pacific to provide customer refunds, "...beginning with the February, 1992 billing cycle." Pacific states that this date was established from prior notifications to CACD of its desired refund date. This date was chosen to coincide with Pacific's anticipated CPUC approval date. Because Commission approval was granted at a later date than anticipated, this time period (February) should have been changed accordingly.

We agree that Pacific's refund plan proposed in Advice Letter No. 16219 is administratively less complex than that which was ordered in Resolution T-14755, and will satisfy the objective of that Order. We also agree that the timing of refunds should coincide with the schedule for implementing Pacific's request authorized in Resolution T-14755.

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We note that Pacific filed Advice Letter No. 16219 on April 1, 1992. General Order (G.O.) 96-A allows protests to be filed within 20 days from the date of advice letter filings. Commission procedures require approximately two additional weeks after the close of the protest period for scheduling and notice to the public of items on our agenda. Hence, May 8th was the earliest date on which we could act on Pacific's request.

Because of the time required by the advice letter process, the May billing cycle for some affected customers will occur prior to the effective date of this Resolution. Pacific's inadvertent choice of the May billing cycle to make effective an advice letter filed as late as April 1 is unworkable and we will therefore modify Ordering Paragraph No. 6 of T-14755 to allow Pacific to make refunds during the May and June billing cycles.

FINDINGS

1. Resolution T-14755, dated March 11, 1992, authorized Pacific to establish the Grass Valley South District Area Toll Rate Point effective May 11, 1992, and ordered Pacific to provide refunds to affected customers who were overbilled as a result of incorrect mileage measurements. Refunds were to be made in 36 monthly credits to customer bills beginning with the February, 1992 billing cycle.
2. Pacific's request to modify Ordering Paragraph No. 6 of Resolution T-14755 to provide for a single lump sum credit to affected customer bills beginning with the May, 1992 billing cycle is administratively less complex than the refund plan ordered in Resolution T-14755 and will satisfy the objective of the customer refunds ordered in that Resolution.

THEREFORE, IT IS ORDERED that:

1. Pacific Bell's request to modify Ordering Paragraph No. 6 of Resolution T-14755 is granted.
2. Ordering Paragraph No. 6 of Resolution T-14755 is hereby modified to state:

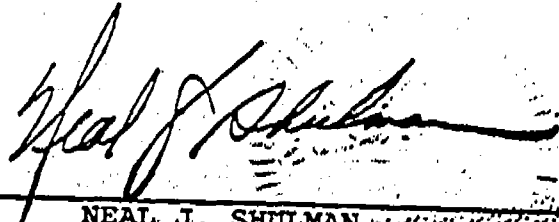
Pacific Bell shall provide refunds based on the difference between the actual average monthly charges for calls to and from the Grass Valley South District Area for each affected exchange, and the average monthly charge for calls to and from the Grass Valley South District Area for each affected exchange that should have been billed according to Pacific Bell's tariffs during the last three years. These refunds shall be made to customer accounts not later than June 30, 1992.

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3. Pacific Bell Advice Letter No. 16219 shall be marked to show that it was authorized by this Resolution, with an effective date of May 8, 1992.

This Resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on May 8, 1992. The following Commissioners approved it:



NEAL J. SHULMAN
Executive Director

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