

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
COMMISSION ADVISORY AND COMPLIANCE DIVISION RESOLUTION T-15724
Telecommunications Branch February 22, 1995

R E S O L U T I O N

RESOLUTION T-15724. RESOLUTION CONCERNING FAILURE OF
SONIC COMMUNICATIONS (SCI) TO SUBMIT REQUIRED FEES
AND REPORTS.

SUMMARY

This Resolution reverses portions of Resolution T-15721, which was issued on February 8, 1995, and revoked the Certificate of Public Convenience and Necessity of Sonic Communications (dba SCI Communications) (U-5336-C) as of March 10, 1995, for failure to remit fees and file annual reports with the Commission. The fees have been remitted and delinquent reports filed; therefore, the revocation is no longer justified.

This Resolution also notes Sonic's agreement to refrain from adding new customers in California pending pending the Commission's findings in its current investigation of Sonic's practices.

BACKGROUND

Decision 93-05-010 (Ordering Paragraph 4) ordered the Commission Advisory and Compliance Division (CACD) to prepare a Resolution revoking the CPCN of an interexchange carrier which is 90 days or more tardy in remitting required fees and filing required annual reports. Resolution T-15721 was prepared for the February 8, 1995 Commission agenda because our records showed that Sonic Communications had failed to do the following as of that date:

1. File User Fees with the Commission (required by PU Code Sect. 431) since its certification;
2. File Universal Lifeline Telephone Service Fees (required by D.87-07-090) since its certification; and
3. File Annual Financial Reports (required by General Order 104-A) since its certification.

Sonic Communications has remitted the required fees, and has now filed the delinquent reports. CACD has determined that the remitted fees reflect the amounts owed, and that the reports filed are those required.

DISCUSSION

CACD reviewed information submitted to determine the amount of revenue Sonic Communications has realized during the period it operated in California. Once this amount was obtained, it calculated the fees that were due and concluded that they were comparable to those which Sonic Communications has paid; therefore, CACD concludes that Sonic Communications is in compliance with the decisions and General Orders listed above.

The Commission opened Order Instituting Investigation (OII) 95-02-004 on February 8, 1995, for the purpose of investigating allegations of "slamming" by Sonic of some customers of other utilities. Pending the results of this OII, Sonic has agreed to refrain from adding new customers to its customer roster.

FINDINGS

1. Sonic Communications has paid the required fees and submitted the required reports, as detailed above.
2. Revocation of Sonic Communications' CPCN is unjustified because the company has paid its fees and filed its delinquent reports.
3. Sonic Communications should retain its CPCN.
4. Pending the findings of the Commission in I.95-02-004, Sonic Communications has agreed to refrain from soliciting new customers in California.

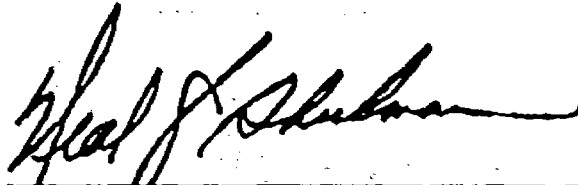
THEREFORE, IT IS ORDERED that:

1. Ordering Paragraphs 1, 2, and 3 of Resolution T-15721 are cancelled. Sonic Communications shall retain its Certificate of Public Convenience and Necessity.
2. Sonic Communications will neither solicit nor add new customers to its customer roster in California pending the Commission's decision in I.95-02-004.
3. A copy of this Resolution shall be placed in the Commission's formal file for Application No. 92-12-054.

February 22, 1995

The effective date of this Resolution is today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on February 22, 1995. The following Commissioners approved it:



NEAL J. SHULMAN
Executive Director

DANIEL Wm. FESSLER
President
NORMAN D. SHUMWAY
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
Commissioners