

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Advisory and Compliance Division
Telecommunications Branch

RESOLUTION T-15832
December 22, 1995

R E S O L U T I O N

RESOLUTION T-15832. ALL TELECOMMUNICATIONS UTILITIES,
EXECUTIVE ORDER CORRECTING ERRORS IN RESOLUTIONS NO.
T-15801, OCTOBER 5, 1995 and T-15799, NOVEMBER 21, 1995.

SUMMARY

This executive action resolution exempts carriers from noticing requirements of General Order (G.O.) 96-A. The exemption was inadvertently omitted from Resolution T-15801. A similar exemption is contained in Resolution T-15799; however, this resolution must be modified slightly to apply to all relevant telecommunications utilities.

BACKGROUND

In its October 5, 1995 meeting the Commission approved Resolution T-15801 which ordered all telecommunications utilities to raise the Deaf Equipment Acquisition Fund (D.E.A.F.) surcharge from 0.3 percent to 0.36 percent beginning January 1, 1996. This Resolution did not exempt any carriers from noticing requirements of General Order (G.O.) 96-A.

In its November 21, 1995 meeting the Commission approved resolution T-15799 which ordered all telecommunications utilities to raise the Universal Lifeline Telecommunications Service surcharge from 3.0 percent to 3.2 percent. Ordering Paragraph 5 of T-15799 exempted Local Exchange Carriers and Interexchange Companies from the noticing requirements of G.O. 96-A. Ordering Paragraph 5 did not explicitly exempt all telecommunications utilities from G.O. 96-A noticing requirements.

DISCUSSION

Resolution A-4661, dated March 9, 1977, ordered that the Executive Director is authorized to sign, "...on behalf of the Commission orders involving the correction of typographical and clerical errors, and other obvious, inadvertent errors and omissions in the decisions and orders of the Commission." Further, "Each such corrective order, when signed and filed by the Executive Director, shall be deemed to be the order of the Commission."

The lack of an exemption of noticing requirements was an inadvertent omission from Resolution T-15801. Requiring each carrier to notify all telecommunications carriers of changes in surcharge levels which all telecommunications carriers are already aware of and must make serves no purpose. As we noted in Finding 6 of Resolution T-15799, "It is neither in the public's interest nor in the telecommunications utilities' interest to require all utilities to notice all other utilities of a Commission order of which they are all aware."

FINDINGS

1. It is neither in the public's interest nor in the telecommunications utilities' interest to require all utilities to notice all other utilities of a Commission order of which all telecommunications utilities are aware.
2. Resolution T-15801 inadvertently omitted an exemption from the noticing requirements of G.O. 96-A for changes in the D.E.A.F. Trust surcharge.
3. Ordering Paragraph 5 of Resolution T-15799 should apply to all telecommunications utilities that are required to remit the ULTS surcharge, not only Local Exchange Carriers and Interexchange Carriers.

THEREFORE, IT IS ORDERED that:

1. All telecommunications utilities are granted an exemption from the noticing requirements of General Order 96-A, Section III, G.1 for the filing requirements associated with Resolution T-15801 concerning the D.E.A.F. surcharge.
2. Ordering Paragraph 5 of Resolution T-15799 is modified to read, "All telecommunications utilities are granted an exemption from the noticing requirement of General Order 96-A, Section III, G.1 for this filing only."

This Resolution is effective today.


WESLEY FRANKLIN
Executive Director