

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
COMMISSION TELECOMMUNICATIONS DIVISION RESOLUTION T-16060  
August 1, 1997

**R E S O L U T I O N**

RESOLUTION T-16060. CONTEL OF CALIFORNIA (CONTEL).  
REQUEST TO MAKE CHANGES TO TARIFFED PRODUCT NAMES  
EARLIER THAN THE CURRENT 40 DAY EFFECTIVE REQUIREMENT.

BY ADVICE LETTER NO. 1066 FILED ON MAY 13, 1997.

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**SUMMARY**

This Resolution approves ConTEL of California (CONTEL) Advice Letter No. 1066 which requests authority to make changes to tariffed product names earlier than the current 40 day effective requirement. Authority is granted on a provisional basis for two years to make such changes effective on 5 day notice. If customer complaints arise due to confusion resulting from such abrupt changes, CONTEL will be required to justify the continuation of this provisional authority. CONTEL will track customer complaints due to this provisional authority, and will report such complaints in any request for an extension of this authority. This authority does not change any rates, charges, terms or conditions of such products and services.

**BACKGROUND**

General Order No. 96-A, Section V.A., states that tariff sheets for new products or services or changed tariff sheets not increasing, or which result in a decrease in any rate, toll, rental or charge, become effective after not less than regular notice of 40 days. CONTEL filed Advice Letter No. 1066 on May 13, 1997, to request authority to deviate from General Order No. 96-A, Section V.A., to make changes to tariff product names effective on 5 day notice. This authority does not change any rates, charges, terms or conditions of such products and services. There is no revenue effect associated with this advice letter. This authority, in essence, specifically waives the advice letter procedure in G.O. 96-A, V.B., for CONTEL's tariffed product names.

**NOTICE**

CONTEL states that copies of this advice letter have been mailed to interested utilities and/or parties. Notice of Advice Letter

No. 1066 was published in the Commission Daily Calendar of May 16, 1997.

PROTESTS

On June 2, 1997, AT&T Communications of California, Inc. (AT&T) submitted its protest of CONTEL Advice Letter No. 1066, claiming that five-day's notice does not allow enough time to appropriately analyze the effect of a name change on a product or service.

DISCUSSION

The Commission has previously approved a similar request for Pacific Bell (Pacific).

On June 7, 1996, Pacific filed Advice Letter No. 18282 to request authority to make changes to tariffed product names by advice letter filing on 5 day notice. No protests had been received for Advice Letter No. 18282.

The Commission by Resolution T-15949, dated September 4, 1996, granted Pacific's request on a provisional basis for two years in the event that the approval results in customer confusion. Pacific was ordered to track customer complaints so they would be able to justify making the provisional authority permanent. The Resolution states that "Moreover, it may be that the premises underlying General Order 96-A may rely upon earlier forms of regulation that no longer apply, especially in a competitive telecommunications market."

Authority to change product or service names by advice letter filing on 5 day notice has been previously granted to Pacific. We find that the conditions under which the Commission approved Pacific's request are just as applicable to CONTEL's Advice Letter No. 1066. Therefore, AT&T's protest of CONTEL Advice Letter No. 1066 should be denied.

While we deem CONTEL's request to be reasonable, there may be concern resulting from customer confusion over abrupt changes in service or product names. We would expect CONTEL to inform customers in a timely manner about such changes.

Due to this concern, we will make this authority provisional for a period of only two years. CONTEL should track customer complaints resulting from this provisional authority, and in any request to extend or make permanent this provisional authority, CONTEL will report such complaints and justify why this authority should not expire. Furthermore, we will require CONTEL to cite this resolution in any future advice letter filing it makes to effect a change in a product or service name on 5 day notice.

FINDINGS

1. CONTEL's request to change product or service names by advice letter filing on 5 day notice is reasonable.
2. Authority to change product or service names by advice letter filing on 5 day notice has been previously granted to Pacific on a provisional basis for two years.
3. AT&T's protest of CONTEL Advice Letter No. 1066 should be denied.
4. Customer confusion may result from such abrupt changes in product or service names.
5. Authority to change product or service names by advice letter filing on 5 day notice should be granted on a provisional basis for two years.
6. CONTEL should track customer complaints resulting from this provisional authority, and report such complaints in any request to extend or make permanent this authority.
7. CONTEL should cite this resolution in any advice letter filing it makes to effect a change in a product or service name on 5 day notice.

THEREFORE, IT IS ORDERED that:

1. CONTEL's request in Advice Letter No. 1066 for authority to make changes to tariffed product names by advice letter filing on 5 day notice is granted on a provisional basis for 2 years.
2. This provisional authority will expire on August 1, 1999.
3. CONTEL shall track customer complaints resulting from this provisional authority, and report such complaints, if any, in any request to extend or make permanent this provisional authority.
4. CONTEL shall file a supplement to Advice Letter No. 1066 effective on 1 day notice, making this authority provisional for a period of two years.
5. CONTEL Advice Letter No. 1066 and supplement and all accompanying tariff sheets shall be marked to show that they were authorized by Resolution No. T-16060 of the California Public Commission and its effective date.
6. AT&T's protest of CONTEL Advice Letter No. 1066 is denied.

This Resolution is effective today.

August 1, 1997

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on August 1, 1997. The following Commissioners approved it:

*Wesley Franklin*  
WESLEY M. FRANKLIN  
Executive Director

P. GREGORY CONLON  
President  
JESSIE J. KNIGHT, Jr.  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
RICHARD A. BILAS  
Commissioners