

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
COMMISSION TELECOMMUNICATIONS DIVISION RESOLUTION T-16061
August 1, 1997

R E S O L U T I O N

RESOLUTION T-16061. GTE CALIFORNIA INCORPORATED (GTEC).
REQUEST TO MAKE CHANGES TO TARIFFED PRODUCT NAMES
EARLIER THAN THE CURRENT 40 DAY EFFECTIVE REQUIREMENT.

BY ADVICE LETTER NO. 8489 FILED ON MAY 13, 1997.

SUMMARY

This Resolution approves GTE California Incorporated's (GTEC) Advice Letter No. 8489 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, GTEC will be required to justify the continuation of this provisional authority. GTEC 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. GTEC filed Advice Letter No. 8489 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 GTEC's tariffed product names.

NOTICE

GTEC states that copies of this advice letter have been mailed to interested utilities and/or parties. Notice of Advice Letter No.

8489 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 GTEC Advice Letter No. 8489, 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 GTEC's Advice Letter No. 8489. Therefore, AT&T's protest of GTEC Advice Letter No. 8489 should be denied.

While we deem GTEC's request to be reasonable, there may be concern resulting from customer confusion over abrupt changes in service or product names. We would expect GTEC 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. GTEC should track customer complaints resulting from this provisional authority, and in any request to extend or make permanent this provisional authority, GTEC will report such complaints and justify why this authority should not expire. Furthermore, we will require GTEC 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.

PINDINGS

1. GTEC'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 previously been granted to Pacific on a provisional basis for two years.
3. AT&T's protest of GTEC Advice Letter No. 8489 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. GTEC should track customer complaints resulting from this provisional authority, and report such complaints in any request to extend or make permanent this authority.
7. GTEC 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.

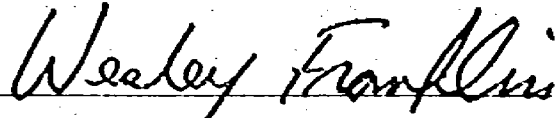
THEREFORE, IT IS ORDERED that:

1. GTEC's request in Advice Letter No. 8489 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. GTEC 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. GTEC shall file a supplement to Advice Letter No. 8489 effective on 1 day notice, making this authority provisional for a period of two years.
5. GTEC Advice Letter No. 8489 and supplement and all accompanying tariff sheets shall be marked to show that they were authorized by Resolution No. T-16061 of the California Public Commission and its effective date.
6. AT&T's protest of GTEC Advice Letter No. 8489 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 M. FRANKLIN
Executive Director

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