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10-24-16
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

O1 Communications, Inc. (U6065C),

Complainant,

v.

New Cingular Wireless PCS, LLC (U3060C)
and AT&T Mobility Wireless Operations
Holdings, Inc. (U3021C),

Defendants.

Case 15-12-020
(Filed December 28, 2015)

**E-MAIL RULING PROVIDING ADDITIONAL INSTRUCTIONS CONCERNING
THE E-MAIL RULING ISSUED ON AUGUST 29, 2016**

Dated October 24, 2016, at San Francisco, California.

/s/ GERALD F. KELLY

Gerald F. Kelly
Administrative Law Judge

From: Kelly, Gerald F.

Sent: Monday, October 24, 2016 2:18 PM

To: 'margaret.m.thomson@att.com'; 'anita@icommlaw.com'; 'inna@icommlaw.com'; 'JMertz@o1.com'; 'jr2762@att.com'; 'eb1642@att.com'; 'marg@tobiaslo.com'; 'eh2726@att.com'; 'thomas.selhorst@att.com'; 'MNelson@o1.com'; Kelly, Gerald F.

Cc: ALJ Docket Office; ALJ Process; ALJ_Support ID

Subject: Email Ruling in C.15-12-020 Providing Additional Instructions Concerning the Email Ruling Issued on August 29, 2016

Email Ruling in C.15-12-020 Providing Additional Instructions Concerning the Email Ruling Issued on August 29, 2016.

I issue this email ruling in C.15-12-020 to advise the parties of the following:

On August 29, 2016, I issued an email ruling indicating “all responses to any motions filed between July 25, 2016 and September 15, 2016, will be due after the Commission votes on the PD.” As the parties are aware, the Commission dismissed O1 Communications’ Complaint in D.16-09-005. D.16-09-005 specifically indicates in Ordering Paragraph Number three that “[a]ll motions not previously addressed are hereby denied.”

On October 20, 2016, O1 Communications filed an Application for Rehearing. Although D.16-09-005 specifically states that all motions not previously addressed are denied, in its Application for Rehearing, O1 communications makes specific reference to its Motion for Summary Judgement and attached it to the Application for Rehearing as Attachment A. O1 Communications’ Motion for Summary Judgement was filed on August 17, 2016. AT&T Mobility has never been given an opportunity to respond to O1 Communications’ Motion to Dismiss.

Pursuant to the Commission’s Rules of Practice and Procedure, AT&T Mobility may file a response to the Application for rehearing pursuant to Rule 16.1(d).

If AT&T Mobility chooses to file a response to O1 Communications’ Application for rehearing, AT&T Mobility may also address any issues that were raised in the O1 Communications’ Motion to Dismiss and attached to the Application for Rehearing as Attachment A.

The Docket Office shall formally file this email ruling.

Gerald F. Kelly
Administrative Law Judge
California Public Utilities Commission
505 Van Ness Avenue Room 5011
San Francisco, CA 94102
415-355-5506
Gerald.kelly@cpuc.ca.gov