

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

XL Fire Protection,

Complainant,

vs.

WTI Communications (U6884C),

Defendant.

(ECP)

Case 12-12-020

(Filed December 27, 2012)

Laura Himmelberg, for XL Fire Protection, Complainants.  
Tony Rodriguez, Pal Lengyel-Leahu, for WTI Communications,  
Defendant.

**DECISION MODIFYING DECISION 14-01-018 GRANTING IN PART AND DENYING IN PART THE COMPLAINT BY XL FIRE PROTECTION**

**1. Summary**

This decision modifies Decision (D.) 14-01-018 and requires WTI Communications to refund \$3,786.30 to XL Fire Protection. D.14-01-018 stated that a portion of the refund would come from funds on deposit with the Commission and the remainder of the refund would come directly from WTI Communications. After the decision was issued it was discovered that the funds on deposit with the Commission had been released to WTI Communications at the close of the informal complaint. In all other respects, this decision remains the same.

**2. Discussion**

In Case 12-12-020 XL Fire Protection (XL) requested a refund of \$6,824.86. XL's request was partially granted by Decision (D.) 14-01-018, which allowed a refund of \$3,786.30, consisting of:

- \$544.96 for the first month of internet service;
- \$232.50 for the December 15, 2011, BC Telecom service call;
- \$1,025.38 in finance charges; and
- \$1,983.46 for two months of recurring charges at \$991.73 per month.

D.14-01-018 incorrectly ordered that \$3,659.41 on deposit with the Commission be disbursed to XL. However, the funds on deposit with the Commission had been disbursed to WTI Communications (WTI) at the conclusion of the informal complaint process. D.14-01-018 only ordered WTI to refund to XL \$126.89, the difference between \$3,659.41 and \$3,786.30. We correct that error here and order WTI to provide \$3,786.30, the total amount of refund granted by D.14-01-018, to XL. No other changes to D.14-01-018 are required.

**3. Assignment of Proceeding**

Catherine J. K. Sandoval is the assigned Commissioner and Linda A. Rochester is the assigned Administrative Law Judge in this proceeding.

**O R D E R**

**IT IS ORDERED** that:

1. Decision 14-01-018 is modified to state that no later than 10 days after the date of this decision, WTI Communications will refund \$3,786.30 to XL Fire Protection for service outages, finance charges, repair services and over billing.

2. Case 12-12-020 is closed.

This order is effective today.

Dated \_\_\_\_\_, at San Francisco, California.