

Decision 08-02-007 February 14, 2008

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Dale Kubacki,

Complainant,

vs.

Sprint Telephony PCS L.P., (U3064),

Defendant

(ECP)
Case 07-05-011
(Filed May 10, 2007)

Dale Kubacki, for himself, complainant.

Regina Sigalos, for Sprint Telephony PCS L.P.,
defendant.

DECISION DISMISSING COMPLAINT

Summary

Complainant alleges that defendant has overbilled him by charging long distance rates for local calls. He alleges that the wireless telephone plan he purchased from defendant included the entire San Diego County as a local calling area. Complainant lives in San Diego County. Complainant requests that Sprint “correct this network/billing error” and the errors that led to charging him incorrectly under his calling plan.

Defendant answered and admitted that its system billed complainant for long distance calls within San Diego County, but said it would credit complainant for all long distance charges and modify its system to prevent a recurrence. At a prehearing conference held by telephone, defendant’s

representative stated that complainant was given credit for all long distance charges within San Diego County. Defendant verified that complainant subscribes to a wireless calling plan that provides a local calling area consisting of all NPA/NXXs within San Diego County. Complainant will not be liable for long distance charges for calls made from his wireless telephone to telephone numbers assigned to rate-centers within San Diego County.

Complainant alleges that defendant incorrectly charged him under his wireless calling plan and seeks correction to the charges. As defendant has satisfied the issues raised by the complaint and granted the relief requested, the complaint should be dismissed.

Assignment of Proceeding

Rachelle B. Chong is the assigned Commissioner and Robert Barnett is the assigned Administrative Law Judge.

O R D E R

IT IS ORDERED that:

1. The complaint is dismissed.
2. Case 07-05-011 is closed

This order is effective today.

Dated February 14, 2008, at San Francisco, California.

MICHAEL R. PEEVEY
President
DIAN M. GRUENEICH
JOHN A. BOHN
RACHELLE B. CHONG
TIMOTHY ALAN SIMON
Commissioners