

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



September 29, 2008

TO: PARTIES OF RECORD IN APPLICATION R.06-06-028

Decision 08-09-042 was mailed previously without the Concurrence of Commissioner Simon. Attached herewith is the Concurrence.

Very truly yours,

/s/ANGELA K. MINKIN
Angela K. Minkin, Chief
Administrative Law Judge

ANG:cvm

Attachment

R.06.06-028
D.08-09-042

**Concurrence of Commissioner Timothy Alan Simon to Decision
08-09-42**

This Decision is in the continuum of positive steps this Commission has taken in support of local market competition. More than two years ago, this Commission determined that the local telecommunications market is competitive and, consequentially, that the four large local exchange carriers should receive full pricing flexibility for basic telephone service in selected regions of the State.

With the effective date, January 1, 2009, now only months away, I support that this Decision applies a two year tiered cap on prices. The most vulnerable consumers are insulated from price shock, if in the short term service providers implement permissible price increases. Over the longer term, I would expect the promise of competitive markets to be reflected in price decreases.

I am, further, encouraged by the prospect of the LifeLine Program being restructured to protect long-established universal service policies and to reflect communication practices of modern consumers.

I want to commend The Utility Reform Network (TURN) for their healthy activism in this proceeding; but firmly agree with my Commissioner colleagues that the regulatory certainty provided in today's Decision benefits California consumers, investors, and the providers of telecommunication service.

/s/ TIMOTHY ALAN SIMON
Timothy Alan Simon
Commissioner

San Francisco, California
September 18, 2008

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties of which an electronic mail address has been provided; this day served a true copy of the original attached Concurrence of Commissioner Timothy Alan Simon on all parties of record for proceeding R.06-06-028 or their attorneys of record.

Dated September 29, 2008 at San Francisco, California.

/s/ CHRISTOPHER V. MEI

Christopher V. Mei

N O T I C E

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