

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Reginald Thatcher,

Complainant,

vs.

Sprint Communications Company L.P.,

Defendant.

Case 01-10-033
(Filed October 26, 2001)

ASSIGNED COMMISSIONER'S SCOPING MEMO AND RULING

Summary

Reginald Thatcher (Thatcher) alleges that Sprint Communications Company L.P. had his long distance telephone service transferred to itself without authorization and against his wishes. Sprint denies that it lacked authorization. Thatcher asks the Commission to penalize Sprint for its action.

The assigned Administrative Law Judge held a prehearing conference on February 22, 2002. Pursuant to Rules 6(b)(3) and 6.3 of the Commission's Rules of Practice and Procedure, I am issuing this scoping memo and ruling to define the issues, determine the schedule, designate the presiding officer, and set an evidentiary hearing date.

Scope of the Proceeding

This proceeding will address the following issues:

1. Did Sprint violate Public Utilities Code § 2889.5, or any other provision of the Code, with respect to telephone service provided to Reginald Thatcher?
2. If so, what sanctions, if any, should the Commission impose?

Category and Need for Hearing

The Instructions to Answer determined that this should be an adjudicatory proceeding, and that a hearing will be scheduled unless the matter is otherwise resolved by the parties. No party has appealed the determination on category to the Commission as permitted under Rule 6.4. Both parties agreed in the prehearing conference that an evidentiary hearing is needed.

Timetable

The schedule will be:

March 12, 2002	Parties serve prepared direct testimony and exhibits, if any (Rule 68).
March 22, 2002	Evidentiary hearing at 9:30 a.m., in the State Office Building, 320 W 4 th Street, 5 th Floor, Los Angeles, California. Proceeding submitted on closing argument.
May 21, 2002	Presiding Officer's Decision filed.

The assigned Administrative Law Judge may adjust the schedule as necessary during the proceeding. In no event will resolution occur more than 12 months from the date the complaint was filed.

Presiding Officer

Administrative Law Judge James McVicar is designated as the presiding officer (Rule 5(k)(1)).

IT IS RULED that:

1. The issues to be considered are as stated in the body of this ruling.
2. The schedule for the proceeding is as set forth herein.
3. Administrative Law Judge James McVicar is designated as the presiding officer.
4. An evidentiary hearing will be held at 9:30 a.m., March 22, 2002, in the State Office Building, 320 W 4th Street, 5th Floor, Los Angeles, California.

Dated March 5, 2002, at San Francisco, California.

/s/ CARL WOOD

Carl Wood
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner’s Scoping Memo and Ruling on all parties of record in this proceeding or their attorneys of record.

Dated March 5, 2002, at San Francisco, California.

 /s/ FANNIE SID
Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission’s policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.