

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

Dr. Augusto Baronio Martins,

Complainant,

vs.

Case 01-06-040

Pacific Bell Wireless,

Defendant.

**ADMINISTRATIVE LAW JUDGE'S RULING  
RECALENDARING PROCEEDING UNDER REGULAR  
PROCEDURE FOR COMPLAINT CASES**

In Decision (D.) 02-08-035, the Commission ruled:

1. The Application for Rehearing of D.01-10-011 is granted.
2. A recorded hearing should be held to resolve all remaining issues.  
(D.02-08-035, p. 2.)

On September 18, 2002, Complainant filed a motion for clarification of D.02-08-035 with respect to the issues already resolved and of certain terms used in that order and for a stay of the rehearing proceeding pending the clarification.

It should be noted that the Commission's Rules of Practice and Procedure provide in pertinent part:

"...If the Commission grants an application for rehearing, the rehearing shall be conducted under the Commission's regular hearing procedure." (Rule 13.2(g).)

Therefore, **IT IS RULED** that:

1. Complainant's request for clarification of Decision (D.) 01-10-011 and stay of rehearing, is denied.
2. This proceeding shall be recalendared for hearing under the Commission's regular procedure for complaint cases. The rules for an expedited complaint shall no longer apply.
3. As required by D.02-08-035, a recorded hearing shall be held to resolve all remaining issues.
4. A telephone prehearing conference is scheduled for Monday, November 25, 2002, at 10:00 a.m. Cingular Wireless shall make the arrangements for a conference call to include all parties. My telephone number is (415) 703-2740.

Dated November 13, 2002, at San Francisco, California.

/s/ BERTRAM D. PATRICK

Bertram D. Patrick  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge’s Ruling Recalendaring Proceeding Under Regular Procedure for Complaint Cases on all parties of record in this proceeding or their attorneys of record.

Dated November 13, 2002, at San Francisco, California.

/s/ TERESITA C. GALLARDO  
Teresita C. Gallardo

**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.

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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, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

