

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In Touch Communications, Inc. and Inflexion California Communications Corp., for the sale and purchase, respectively of the customer base, operating authorities and other assets.

Application 03-11-011
(Filed November 10, 2003)

Inflexion California Communications Corp., for a certificate of public convenience and necessity to provide resold and limited facilities-based competitive local exchange service throughout the service territories of SBC California, Inc., Verizon California Inc., Roseville Telephone Company, and Citizens Telecommunications Company of California, Inc.; and resold and facilities-based interexchange service.

Application 03-11-013
(Filed November 19, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING
SHORTENING TIME FOR PROTESTS TO
APPLICATIONS (A.) 03-11-011 AND A.03-11-013**

This ruling shortens the time for protests (or other responses) to the applications of Inflexion California Communications Corp. (Inflexion) to purchase certain assets of In Touch Communications (In Touch) and to obtain a certificate of public convenience and necessity to provide resold and limited facilities-based competitive local exchange telephone service. In Touch very recently went bankrupt pursuant to Chapter 7 of the United States Bankruptcy Code and is in the process of liquidating its assets. Inflexion bought In Touch's assets in the bankruptcy proceeding and wishes to step in and serve In Touch's

former customers. The customers are typically low-income consumers who purchase pre-paid monthly telephone service.

Without a ruling shortening the time for protests or other responses, I am concerned that prior customers of the now-bankrupt In Touch operation will be left without telephone service. Prompt action on Inflexion's applications will lessen the chances of this outcome.

On Inflexion's motion, Administrative Law Judge (ALJ) Thomas held a temporary restraining order hearing related to Application (A.) 03-11-011 on November 14, 2003. During the hearing, ALJ Thomas learned that SBC California (SBC) and Verizon Communications (Verizon) already had disconnected the service of some of In Touch's former customers. During the hearing, Inflexion reached agreement with SBC not to disconnect additional customers provided that Inflexion paid SBC's costs associated with those customers. ALJ Thomas directed Inflexion to reach a similar agreement with Verizon given that both sides believed they could reach such an agreement by negotiation.¹

In order to preserve telephone service to In Touch's former customers to the maximum extent possible, I rule that the time for protests or other responses to A.03-11-011 and A.03-11-013 shall be shortened. Protests or other responses to both applications shall be filed and served on or before December 9, 2003. To ensure that all local exchange carriers captioned in A.03-11-011 (SBC California, Inc., Verizon California Inc., Roseville Telephone Company, and Citizens

¹ ALJ Thomas stated at the hearing that the correct amount of these costs would be subject to a hearing if Inflexion disputed them. In the meantime, Inflexion will pay the full costs requested by SBC and Verizon.

Telecommunications Company of California, Inc.) are aware the applications, if it has not already done so, Inflexion shall immediately serve each such carrier with both applications.

Therefore, **IT IS RULED** that:

1. Any protest or response to Application (A.) 03-11-011 or A.03-11-013 shall be served and filed on or before December 9, 2003.

2. If it has not already done so, Inflexion California Communications Corp. shall immediately serve SBC California, Inc., Verizon California Inc., Roseville Telephone Company, and Citizens Telecommunications Company of California, Inc. with both applications.

Dated November 26, 2003, at San Francisco, California.

/s/ PHILIP S. WEISMEHL

Philip S. Weismehl

Administrative Law Judge

A.03-11-011, A.03-11-013 PSW/k47

(415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.