

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Jordan Rosenberg,

Complainant,

vs.

Pacific Bell Telephone Company,
dba AT&T California (U1001C),

Defendant.

Case 13-07-004
(Filed July 12, 2013)

And Related Matter.

Case 14-05-014

ORDER EXTENDING STATUTORY DEADLINE

Summary

This decision extends the statutory deadline in these consolidated proceedings to July 12, 2015.

Background

Public Utilities Code Section 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. These consolidated matters have been categorized as adjudicatory, and the statutory deadline for resolving Case 13-07-004 is July 12, 2014 and Case 14-05-014 is May 15, 2015.

On July 12, 2013, Jordan Rosenberg (Complainant) filed a complaint under the Commission's Expedited Complaint Procedure (ECP) Case (C.) 13-07-004, seeking that the Commission resolve the dispute with Pacific Bell Telephone Company dba AT&T California (AT&T), regarding billing charges, request for a refund and transfer of service.

On August 12, 2013, AT&T filed its answer denying the charges and requesting the complaint be dismissed. In the interest of resolving this matter, AT&T credited the disputed charges and as of July 23, 2013, Complainant's account was left at zero. On May 15, 2014, Complainant filed a second Complaint C.14-05-014 alleging that his telephone service had not been transferred to his new address. C.14-05-014 was filed as a regular complaint pursuant to Rule 4.2(a) of the Commission's Rule of Practice and Procedure.

On May 21, 2014, the assigned Administrative Law Judge (Judge) issued a ruling terminating ECP C.13-07-004, pursuant to Rule 4.5 and converting the expedited complaint into a complaint pursuant to Rule 4.2(a). On May 22, 2014, the proceeding was reassigned to Judge Patricia B. Miles.

On May 27, 2014, the Chief Administrative Law Judge issued a ruling categorizing C.13-07-004 as adjudicatory and determining that hearings were necessary, unless the matter is otherwise resolved by the parties. The ruling also consolidated C.13-07-004 with C.14-05-014.

Due to these recent developments, additional time is necessary to address the now consolidated complaints, set evidentiary hearings or facilitate resolution of the complaints through the Commission's Alternative Dispute Resolution program. Therefore the statutory deadline for resolving these consolidated complaints should be extended to July 12, 2015.

Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, the otherwise applicable period for public review is being waived.

Assignment of Proceeding

Catherine J.K. Sandoval is the assigned Commissioner and Patricia B. Miles is the assigned Administrative Law Judge in these proceedings.

Findings of Fact

1. The complaint Case 13-07-004 was initiated on July 12, 2013 under the Commission's ECP and later converted into a regular Complaint pursuant to Rule 4.2(a).
2. A new Complaint Case 14-05-014 was initiated on May 15, 2014 and later consolidated with Case 13-07-004.
3. Based upon the statutory deadline, these proceedings must be resolved within 12 months of their initiation, unless this date is extended.
4. An extension of the statutory deadline is necessary to allow the Commission time to set evidentiary hearings or facilitate resolution of the complaints through the Commission's Alternative Dispute Resolution program.

Conclusions of Law

1. The statutory deadline imposed by Public Utilities Code Section 1701.2(d) should be extended until July 12, 2015.
2. This order should be effective immediately.

IT IS ORDERED that the statutory deadline in these proceedings is extended until July 12, 2015.

This order is effective immediately.

Dated _____, at San Francisco, California.