

Decision 15-05-041 May 21, 2015

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

In the Matter of the Application of Pacific Bell, a Corporation, for Authority to Establish a Tariff Schedule for Information Calling Services.

Application 88-04-004  
(Filed April 1, 1988)

And Related Matters.

Application 87-05-049  
Investigation 85-04-047

**DECISION GRANTING THE PETITION FOR MODIFICATION OF PACIFIC BELL TELEPHONE COMPANY DBA AT&T CALIFORNIA FOR MODIFICATION OF DECISION 91-04-065**

**Summary**

We grant the petition of Pacific Bell Telephone Company DBA AT&T California (AT&T California) to modify Decision 91-04-065 to eliminate the requirement that AT&T California file an annual 900/976 call blocking compliance report.

**Discussion**

On March 15, 2013, Pacific Bell Telephone Company DBA AT&T California (AT&T California) filed a petition for modification of Decision (D.) 91-04-065. D.91-04-065 addressed the issue of cost recovery by AT&T California and GTE California (GTEC) of the historical and ongoing costs associated with 900 and 976 call blocking. Cost recovery was an issue at the time because Section 2884 of the Public Utilities Code required “[a]ny unrecompensed expenses of blocking

...to be borne by “the 900/976 providers, instead of residential telephone subscribers or the telephone companies.”<sup>1</sup> D.91-04-065 required AT&T California and GTEC to file annual reports monitoring these costs and revenues, to track the telephone companies’ progress towards recovery of the historical blocking costs. Specifically, Ordering Paragraph (OP) 5 of D.91-04-065 requires AT&T California and GTEC to file an annual compliance report with the Commission and serve a copy on each interexchange carrier from whom the local exchange company collects blocking costs.<sup>2</sup> O.P. 5 of D.91-04-065 further directed that the report filed include: “the total blocking costs incurred to date...total blocking costs recovered through rates,... and... an estimate of the remaining time period necessary to fully recover historical costs. “

AT&T California states that it discontinued its 900/976 services and the related surcharge that had been the vehicle for recovering its 900/976 blocking costs two years prior to filing the instant petition. AT&T California also states that, in prior filed reports, it informed the Commission that its historical blocking costs would take over 10,000 years to recover and, as a result, will never be recovered.

Given the fact that the purpose of the annual report, to signal when full cost recovery has been achieved, will never occur, AT&T California’s petition should be granted. It is reasonable to modify D.91-04-065 to eliminate the requirement in OP 5 that AT&T California file an annual 900/976 call blocking compliance report.

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<sup>1</sup> D.87-12-038, at 39; *see also id.* at 44.

<sup>2</sup> D.91-04-065 at OP 5.

### **Comments on Proposed Decision**

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311 (g)(2) of the Public Utilities Code and Rule 14.6 (c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

### **Assignment of Proceeding**

Carla J. Peterman is the assigned Commissioner and Julie M. Halligan is the assigned Administrative Law Judge in this proceeding.

### **Finding of Fact**

1. Notice of the petition to modify D.91-04-065 appeared on the Daily Calendar. No protests have been filed. A hearing is not required.

### **Conclusions of Law**

1. The Petition of AT&T California for Modification of Decision 91-04-065 should be granted.
2. The Petition to Modify Decision 91-04-065 could not have been filed within a year of the effective date of D.91-04-065 as is otherwise required by Rule 16.4(d).

## **O R D E R**

**IT IS ORDERED** that:

1. The Petition for Modification of Decision 91-04-065 filed by Pacific Bell Telephone Company dba AT&T California is granted.
2. Decision 91-04-065 is modified to eliminate the requirement for an annual 900/976 blocking compliance report.

3. Application (A.) 88-04-004, A.87-05-049 and Investigation 85-04-047 are closed.

This order is effective today.

Dated May 21, 2015, at San Francisco, California.

MICHAEL PICKER

President

MICHEL PETER FLORIO

CATHERINE J.K. SANDOVAL

CARLA J. PETERMAN

LIANE M. RANDOLPH

Commissioners