

P-1315, 421/C-88-871, P999/C-87-145 DENYING INTERIM RATE RELIEF AND
CONSOLIDATING DOCKETS

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Barbara Beerhalter	Chair
Cynthia A. Kitlinski	Commissioner
Norma McKanna	Commissioner
Robert J. O'Keefe	Commissioner
Darrel L. Peterson	Commissioner

In the Matter of a Complaint by United Pay Phone Association and Rent-A-Phone, Inc. Regarding Northwestern Bell Telephone Company's Local Exchange Rates for Customer Owned Pay Telephones

ISSUE DATE: January 31, 1989

DOCKET NOS. P-1315, 421/C-88-871
P-999/C-87-145

In the Matter of Requiring All Pay Telephones to Comply with the Public Utilities Commission's Coin Telephone Order

ORDER DENYING INTERIM RATE RELIEF AND CONSOLIDATING DOCKETS

PROCEDURAL HISTORY

On November 1, 1988 Rent-a-Phone, Inc. and the United Pay Phone Association filed a complaint alleging that Northwestern Bell Telephone Company's (Northwestern Bell or the Company) rates for customer-owned pay phones were excessive. Both parties requested that the Commission initiate an investigation of the rates and grant them interim rate relief during the pendency of the investigation.

The Department of Public Service (the Department) examined the complaint and recommended that the Commission deny the request for interim rate relief and consolidate the complaint with the Commission's ongoing investigation into pay phone matters in docket no. P-999/C-87-145.

FINDINGS AND CONCLUSIONS

This complaint raises an issue, the appropriateness of customer-owned pay phone rates, which is already before the Commission in another docket. In complaint docket no. P-999/C-87-145 the Commission established a study group to examine pay phone issues, including coin telephone local exchange rates. The study group has met several times, and its discussions have already resulted in Northwestern Bell undertaking cost studies on pay phone rates. That proceeding would be a logical forum in which to consider the issues raised by this complaint, and the Commission will consolidate the two complaint dockets.

The Commission will deny the request for interim rate relief. The rates at issue were approved as just and reasonable following contested case proceedings in docket no. P-421/CI-86-354. They could normally be changed only after notice, hearing, and full evidentiary development. The Commission will not initiate that process without the benefit of the report of the study group currently examining pay phone service in Minnesota. Furthermore, complainants have not established the exceptional circumstances necessary to justify the extraordinary remedy of interim rate relief.

ORDER

1. The Complaint of Rent-a-Phone, Inc. and United Pay Phone Association is consolidated with the Commission proceeding captioned In the Matter of Requiring All Pay Telephones to Comply with the Public Utilities Commission's Coin Telephone Order, docket no. P-999/C-87-145.
2. The request for interim rate relief by Rent-a-Phone, Inc. and United Pay Phone Association is denied.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Mary Ellen Hennen
Executive Secretary

(S E A L)