

P421/M-86-651 APPROVING NORTHWESTERN BELL TELEPHONE COMPANY'S TARIFF
PROPOSAL AS MODIFIED

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 Northwestern Bell Telephone Company's Tariff Proposal Initiating a New Service Called Automatic Number Identification Order Entry Service

ISSUE DATE: November 27, 1989

DOCKET NO. P421/M-86-651

ORDER APPROVING NORTHWESTERN BELL TELEPHONE COMPANY'S TARIFF PROPOSAL AS MODIFIED

PROCEDURAL HISTORY

On October 31, 1986, Northwestern Bell Telephone Company (the Company) made a tariff filing to initiate a new service called Automatic Number Identification Order Entry Service (ANI service). The tariff went into effect as filed 60 days later.

On May 12, 1988 the Department of Public Service (the Department) filed comments on the service. The Department recommended that the Commission change the ANI tariff to establish specific rates for one service component, Pay-Per-View (PPV) service, rather than allowing the Company to price the service on an individual case basis.

On September 22, 1988, the Commission issued its ORDER REQUIRING TARIFFED RATES FOR PAY-PER-VIEW SERVICE. The Commission found that the Company had failed to establish that exceptional circumstances existed to justify departure from the normal course of traditional regulation. The Commission rejected the Company's request for pricing flexibility, i.e. to price PPV services on an individual case basis. The Commission required the Company to file a new tariff setting specific rates for PPV services.

On December 1, 1988, the Company filed a new tariff setting specific rates for its PPV services.

On January 3, 1989, King Videocable Company (KVC) filed comments objecting to the Company's proposed tariff. On January 5, 1989, the Department recommended approval of the Company's new tariff subject to certain clarifying language.

On June 30, 1989, the Company filed a revised tariff and, following negotiations between the parties, filed amendments to that revised tariff, on August 10, 1989 and October 4, 1989. With the addition of the August 10 and October 4, 1989 amendments, the Company's revised tariff gained the support of KVC and the Department, the parties which had objected to the tariff as originally filed.

The matter came before the Commission for approval on October 24, 1989.

FINDINGS AND CONCLUSIONS

The Commission finds that the Company's tariff as submitted for approval October 4, 1989 sets specific rates for its Pay-Per-View services. As such, it complies with the Commission's order issued in this matter on September 22, 1988 entitled ORDER REQUIRING TARIFFED RATES FOR PAY-PER-VIEW SERVICE. The Commission further finds that the Company's proposed tariff is just and reasonable and will approve it.

The Commission notes that in the course of this proceeding on July 7, 1989 the Company elected alternative regulation pursuant to recently amended Minn. Stat. § 237.58, Subdivision 1 and that in subsequent filings on August 21, 1989 and October 30, 1989 the Company requested that the Commission approve the filing of its ANI price list pursuant to that alternative regulation. A separate docket has been established for that request: Docket No. P-421/EM-89-693. The Commission will address the merits of that matter in due course as it comes before the Commission.

ORDER

1. The tariff for Automatic Number Identification (ANI) Order Entry Service proposed by Northwestern Bell Telephone Company in its filing of October 4, 1989 is approved.
2. Within 10 days of the issue date of this Order the Company shall file with the Department of Public Service revised tariff pages reflecting the tariff changes approved herein. That filing shall specify the effective date of the new tariff which shall not be later than 30 days from the date of this Order.

3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Lee Larson
Acting Executive Secretary

(S E A L)