

DISSENTING STATEMENT BY  
COMMISSIONER JAMES H. QUELLO  
IN THE MATTER OF  
GENERAL TELEPHONE AND ELECTRONICS

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This action by the Commission is generally of the same nature as that taken with regard to Continental Telephone Corporation and my position is essentially the same as enunciated in my dissent in the Continental matter. (CCTAX3-73 - Item 5, Common Carrier Agenda, 1/15/75).

There are some elements in this decision, however, which go even beyond the unwarranted generosity in the Continental matter. Especially notable is the granting of a certificate to cover the sale of the CATV system in Minot, North Dakota. That system outside GTE's telephone operating areas was sold separately from the other systems thereby removing even the tenuous "appropriateness" of selling all systems as a package. The Commission decided to include Minot, in the words of the Memorandum Opinion and Order, since "It appears that this sale was premised on GTE's rational decision to leave the CATV business, which decision was reached as a result of our new rules." Although I can admire the Commission's consistency in ratifying purely business judgments, I fail to see the public interest result required to justify special tax consideration.

Again, I believe this action goes well beyond a reasonable interpretation of the statute.

And, again, I dissent.

Item 6  
Common Carrier Agenda  
January 15, 1975