

State / National

PUC asked to halve Bell rate request

United Press International
AUSTIN — The Public Utility Commission's hearing examiners have recommended a statewide telephone rate increase of only about half the \$489.5 million Southwestern Bell had requested — but the telephone company has still gained an important victory.

The PUC hearing examiners recommended Monday that the telephone company be allowed to raise its rates by \$243.7 million, and to implement the experimental "local measured service" charge for local calls on

the basis of time and distance. The commission will meet Dec. 10 to decide if it will accept hearing examiner Bob Gillespie's recommendations.

Bell has previously indicated in documents filed with the PUC it may seek in the future to base all local telephone charges on the time talked and distance called.

Gillespie said implementation of the local measured service on an experimental basis will give Bell the opportunity to collect data supporting its expansion, but also will give oppo-

nents of the plan a chance to collect information proving it is not feasible.

"I would expect it to lose money," Gillespie said of the local measured service experiment.

"The commission has allowed experiments in the past, found they didn't work, and abolished them the next year."

Bell had proposed that customers desiring to participate in the local measured service program not be charged for switching to that service, and their bills not be allowed to go

nigher than \$5 above the present flat-rate monthly charge.

But Gillespie recommended customers choosing the experimental program be assessed a charge for switching to it with no ceiling set on their costs under the time-and-distance billing formula.

The telephone company on Oct. 20 implemented a rate increase of \$246.9 million — slightly more than that recommended by the hearing examiners. If the PUC approves the examiners' proposals, Bell will be required to refund 60 cents

per month to most residential customers.

"I think the recommendation is fair, given the increases in cost we all are experiencing," said hearing examiner Carolyn Shellman.

The recommendation also calls for a 10 percent increase in charges for intrastate long distance calls, even though Bell did not seek any increase in the long distance charges. The 10 percent increase in long distance rates would generate almost \$80 million annually in revenue for Bell.

Victory is sweet in coc(o)a case

United Press International
DALLAS — Arley Thomas Jr.'s victory was sweet and he owes it all to the letter of the law.

A typographical error in an indictment that was intended to charge Thomas with possession of cocaine, a derivative of "coca," actually charged him with possessing a derivative of "cocoa."

State District Judge Jack Hampton said Monday he had no choice but to acquit Thomas.

"I can't send a guy to the pen for possession of chocolate, can I?" Hampton asked. "It (the indict-

ment) had one 'o' that shouldn't have been there, but it changed the meaning of the whole thing."

Judge Hampton quickly acquitted Thomas after a chemist testified the cocaine confiscated from Thomas' apartment was not derived from cocoa — the substance cited in the indictment.

Defense attorney James M. Murphy said he noticed the faulty wording while researching another chemistry-oriented defense strategy.

"I had read (the indictment) before, and I thought something was wrong with it, but it just didn't click," Murphy said. He said he was both surprised and relieved when he spotted the extra 'o' in cocoa.

"Our law places a burden on the state to dot all the i's and cross all the t's, and if you don't do it, you can't deprive a person of his freedom," he said.

Thomas still faces a second cocaine charge resulting from another arrest.

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Need a cop? Lawyer has helpful hint

United Press International
HOUSTON — Trial lawyer Percy Foreman says police are never around when they're needed, but he has a suggestion for attracting one's attention.

"Just wave a shovel in the air and you get 14 of them," he said Monday.

One of his clients, Francis Eric Lindon, did exactly that.

A helicopter was buzzing around Lindon's house Sunday and he wanted it to buzz off. He said he tried waving at it to go away, but when that didn't work, he picked up a shovel and pointed it at the chopper.

The helicopter went away, but soon afterward eight police cars carrying 14 officers pulled up and arrested Lindon for making obscene gestures at the chopper, which turned out to be a police helicopter looking for a pair of skydivers.

The charge against Lindon says he "did raise his right arm and make a fist and clasp his right bicep with his left hand in a manner tending to incite an immediate breach of the peace."

About the charge, Foreman said: "If you do anything that reflects on a police officer, they'll take it as personal."

"The only fun I ever get in life is in trying a case. I'm going to enjoy cross-examining whoever is responsible for sending eight police cars and 14 officers out there to arrest this fellow for pointing a shovel at a helicopter."

Flashlight, woman, 92, foil burglar

United Press International
LORAIN, Ohio — Bessie Stetzel, 92, says she doesn't know how she did it, but she fought off a knife-wielding burglar with a flashlight.

"I'm black and blue all over but I bet he is too, because I hit him good with that flashlight," the retired nurse said. "He hit me and hit him. I didn't even know I could fight but I guess when you're afraid, you find out."

Stetzel told police the burglar tried "to put a dagger in my heart." A scuffle followed, during which she grabbed a flashlight and started hitting him on the head with it, police said.

The attacker grabbed the flashlight but not before Stetzel managed to shove him out the door authorities said.

A short time later, police detained a 14-year-old Lorain youth who matched the general description of Stetzel's assailant. However, Stetzel was unable to identify the teenager, and he was released.

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