

SUPREME COURT OF LOUISIANA

No. 97-CA-0645

GLOBAL TEL*LINK, INC.

Versus

LOUISIANA PUBLIC SERVICE COMMISSION

LEMMON, J., Dissenting

La. Const. IV, § 21(B) gives the Public Service Commission (PSC) the power to "adopt and enforce reasonable rules" pertaining to the regulation of the public utilities. The majority recognizes that the PSC's adoption of the sixty-day rule was a reasonable regulation of a public utility, but refuses to recognize the PSC's authority to enforce the rule by prohibiting collection of charges billed in violation of the rule. Such charges are as "illegal" as charges billed in violation of existing tariffs, and the PSC's refusal to allow collection (or retention) of these charges was an appropriate means of enforcing the reasonable rule.