Decision No. 12806.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, a corporation, for an order of the Railroad Commission of the State of California granting it a certificate that public convenience and necessity require the exercise by it of the rights and privileges conferred upon it under the franchise granted it by the City Council of the City of Stockton by Ordinance Number 819 on the third day of January, 1923.

Application No. 9030.

PIPINI

H. E. Owens, for Applicant.

MARTIN, Commissioner.

OPINION

The Pacific Telephone and Telegraph Company, in the above entitled proceeding, requests this Commission for an order granting it a certificate that public convenience and necessity require the exercise by it of the rights and privileges conferred upon it under the franchise granted it by the City Council of the City of Stockton by Ordinance No. 819, dated January 3, 1923. A copy of said franchise is set forth in this application.

Applicant is now, and for a long time has been engaged in a general telephone and telegraph business in the City of Stockton and it appears that public convenience and necessity will be served by the granting of applicant's request.

The Pacific Telephone and Telegraph Company having requested this Commission for an order granting it a certificate that public convenience and necessity require the exercise by it of the rights and privileges conferred upon it under a certain franchise granted it by the City Council of the City of Stockton; a copy of said franchise having been filed with the Railroad Commission; The Pacific Telephone and Telegraph Company having stipulated in form satisfactory to this Commission as to a claim for value of said franchise, and that its successors or assignees will never claim before the Railroad Commission or before any court or other public body any value for the aforesaid franchise in excess of the sum of \$300.00, the amount actually paid by it to the City of Stockton; a public hearing having been held upon the above entitled proceeding, the matter being submitted and now ready for decision.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the exercise of the rights and privileges contained in the said franchise, and

Venience and necessity be, and the same is, hereby granted to The Pacific Telephone and Telegraph Company authorizing the exercise by it of the rights and privileges conferred upon it by Ordinance No. 819, passed on January 3, 1923, by the City Council of the City of Stockton.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 10 day of Morecula, 1923.

Drong Marton

Commissioners.