

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

POSTAL TELEGRAPH CABLE COMPANY,
a corporation,

Complainant,

-vs-

PACIFIC GAS & ELECTRIC COMPANY,
a corporation,

Defendant.

Case No. 1362

WILLARD P. SMITH, and
WALTHON C. WEBB, for Complainant.

C. P. CUTTEN, for Defendant.

ORIGINAL

MARTIN, COMMISSIONER:

FIRST SUPPLEMENTAL ORDER

This Commission on July 14, 1923, rendered a decision, No. 12358, in this proceeding, in which it stated that before a final order in this matter could be rendered the Western Union Telegraph Company, The Pacific Telephone and Telegraph Company and Southern Pacific Company should be given an opportunity to submit their views, as any change in the location of defendant's or complainant's lines herein involved might affect the circuits of the other utilities also located within this parallel. Accordingly this proceeding was reopened for further hearing and a public hearing was held in San Francisco on July 7, 1924, at which time the matter was submitted.

On August 24, 1923, a joint conference was held of all parties operating either power or communication circuits within this parallel, together with representatives of the Railroad Commission, before Chief Engineer L. S. Ready, at which the views of the utilities were obtained and plans promulgated for the relocation of the circuits involved in this parallel that the power circuits might be on one side of the Southern Pacific right-of-way and the communi-

cation circuits on the other. The minutes of this informal conference are a part of the record in this proceeding.

As pointed out by the Commission's engineers at this conference, it appeared that induction into the Postal Company's circuits, due to the paralleling power circuits, could be materially reduced if the small separation between power and communication lines could be eliminated, particularly between Davis and Elmira and for a short distance in the vicinity of Vandeen.

From consideration of the evidence in this proceeding it appears that serious interference is induced into the communication circuits of the Postal Company due to the paralleling power circuits of the Pacific Company and that this interference is of such a nature that an increase of the horizontal separation between these circuits between Elmira and Davis and for a short distance near the town of Vandeen is justified. The elimination of this small horizontal separation can be obtained either by the relocation of the communication circuits, relocation of the power circuits, or by a change in location of both the power and communication circuits. It is possible either to relocate the Postal Company's communication circuits to a position just outside of the Southern Pacific Company's right-of-way and on the opposite side from that on which they are now located, or else to a position along neighboring highways. It is also possible to relocate the power circuits to a position along neighboring highways. The employment of joint construction of the communication circuits was considered in connection with this proceeding. This may be eliminated from further discussion due to the resulting difficulties when compared with the results to be obtained from following one of the other methods.

The final method to be selected should be one which, for the same relief, will result in the least total cost to all parties involved, which in this case is the relocation of complainant's lines. Relocating the lines of the Postal Company in this manner

should in no way affect the operation of the circuits of Western Union Company, Southern Pacific Company or The Pacific Telephone and Telegraph Company.

Another important subject involved in this proceeding is the division of costs which should be made between the plaintiff and defendant resulting from the relocation of the former's lines.

The method of dividing the cost between utilities, whose lines are involved in a parallel and which require reconstruction, relocation or other changes, heretofore followed by this Commission, has been to require the utility in whose plant any capital addition is made to bear the cost of that added plant, and that changes other than capital charges in either the power or communication circuits, including the cost of remedial measures, be paid for by the party creating the parallel and the cost resulting from the planning or determination of the necessary remedial measures to be paid for by the utility making the same.

The evidence in this proceeding shows that both the power and communication circuits have been in operation for many years and long before the question of inductive interference was given serious consideration. Since that time changes have been made by both utilities in their circuits. In view of the history of the lines involved in this matter, it does not appear that the question of priority of construction should be given material weight in determining the responsibilities of payment of costs resulting in the mitigation of interference. The Commission is satisfied, however, that serious interference does result to the communication circuits due to the operation of the power circuits and that satisfactory operating conditions of the communication circuits can only be obtained by eliminating the small separation now existing between Davis and Elmira and also in the vicinity of Vandeen, and that the cost to eliminate this serious condition should be borne equally by the Postal and the Pacific Companies.

The following order will provide for the increasing of the horizontal separation between the power circuits of the Pacific Company and the communication circuits of the Postal Company by the re-location of the Postal Company's communication circuits either to a position along the right-of-way of the Southern Pacific Company and on the opposite side from where they are at present located, or else to a position along adjoining highways, and that the cost resulting in this re-location shall be divided equally between the Pacific and Postal companies.

O R D E R

This proceeding having been reopened for the consideration of evidence relative to the plan for re-locating the circuits within this parallel and for the division of costs resulting from such changes, a public hearing having been held, the Railroad Commission having fully considered all evidence in this proceeding and the matter now being ready for decision, and it appearing that by reason of the proximity of the power circuits of Pacific Gas and Electric Company and the communication circuits of Postal Telegraph Cable Company, interference results to the communication circuits of the latter company of such a nature and to such an extent as to warrant the increase of the separation between these circuits, and that the costs resulting from such changes should be borne equally by complainant and defendant,

IT IS HEREBY ORDERED that

(1) Postal Telegraph Cable Company shall submit to this Commission for approval within sixty (60) days of the date of this order, plans for the re-location of its communication circuits between the cities of Elmira and Davis to a new position along the northerly side of Southern Pacific Company's right-of-way between Elmira and Davis, or in another location equally distant from the power circuits of Pacific Gas and Electric Company.

(2) Postal Telegraph Cable Company shall submit to this

Commission for approval within sixty (60) days from the date of this order, plans for the re-location of its communication circuits in the vicinity of the Town of Vandeen within that section where its circuits parallel power circuits on the same side of the Southern Pacific right-of-way to a new position along the southerly side of Southern Pacific Company's right-of-way, or in another location equally distant from the power circuits.

(3) The cost resulting from making the changes herein specified in Sections 1 and 2 above shall be equally borne by Postal Telegraph Cable Company and Pacific Gas and Electric Company.

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

Dated at San Francisco, California, this 2nd day of ~~August~~
July, 1924.

C. Leary
H. V. B. ...
Irving Martin
Egerton Shore
L. Whittier
Commissioners.