

Decision No. 13897.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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CITY OF SAN BERNARDINO,
a Municipal Corporation,

Plaintiff

-vs-

ASSOCIATED TELEPHONE COMPANY,
a Corporation,

Defendant.

ORIGINAL

Case No. 1995.

W. Guthrie for Complainant.

W. W. Butler, for Defendant.

BY THE COMMISSION:

O P I N I O N.

This is a proceeding in which City of San Bernardino requests this Commission to require Associated Telephone Company to enlarge its primary rate area to include certain sections of the City of San Bernardino which have been annexed to that city subsequent to the time the present boundaries of the primary rate area were determined.

A hearing in this matter was held before Examiner Satterwhite in the City of San Bernardino on June 30, 1924.

Mr. William Guthrie, City Attorney of the City of San Bernardino, representing the plaintiff, claims that since the present boundaries of the primary rate area have been established that the city has expanded and that the primary rate area should now be modified to include territories which have been annexed to the City of San Bernardino.

The defendant claims that it is not receiving a fair return from the operation of its properties within the San Bernardino exchange

area and that if the primary rate area is to be enlarged in any way that there should be a corresponding change in the rate schedules to compensate it for the reduction in revenue which will follow any such change.

Under the present system of establishing rates followed by this Commission, the territory of an exchange is divided into two sections, a primary rate area, including the more congested sections, and a suburban area, the remaining portion of the exchange area, outside of the primary rate area. Such rates assume that the primary rate area shall from time to time be modified to include additional territory as it may become congested or built up, or where it is found that a sufficient demand for telephone service exists to justify an extension of the area. The rates do not contemplate that the primary rate area shall be a fixed area only to be changed when there is a revision or a review of the rates for all services.

The defendant in this proceeding claims that it is not receiving a fair return from its operations in its San Bernardino exchange, and that an increase in rates should be made if an increase in the primary rate area is made. It does not appear that the reasonableness of the rates and the determination of the primary rate area are so related that a minor change in the area must be accompanied by a change in rates. If defendant desires reconsideration of its rates, this may be made the subject of a formal proceeding on its part.

This Commission has made an investigation to determine the reasonableness of the request of plaintiff, and is of the opinion that a portion of the territory which plaintiff desires to be annexed should be included at this time within the primary rate area. The changes which we find should be made are set forth in the following order.

O R D E R.

City of San Bernardino having requested this Commission to require Associated Telephone Company to change the boundary of the primary rate area of the San Bernardino Exchange to include certain sections of territory which have been annexed by said city, 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 the request of complainant in its entirety is not justified, but that certain changes and extensions of the primary rate area of the San Bernardino exchange of the Associated Telephone Company should be made at this time,

IT IS HEREBY ORDERED that

(1) Associated Telephone Company establish a Primary Rate Area in its San Bernardino exchange in accordance with Exhibit A attached hereto, the same to become effective on and after September 1, 1924.

(2) Associated Telephone Company revise its rate schedules on file with this Commission on or before August 25, 1924, to include the modifications required in Section (1) above.

Dated at San Francisco, California, this 8th day of August ~~July~~, 1924.

C. Seaver

H. B. Burdick

Dorise Martin

Carlton Shore

J. T. Whitney

Commissioners.

EXHIBIT "A"

in

Decision No. _____ Case No. _____.

DESCRIPTION OF PRIMARY RATE AREA OF

SAN BERNARDINO EXCHANGE

ASSOCIATED TELEPHONE COMPANY.

EXHIBIT "A"
DESCRIPTION OF PRIMARY RATE AREA
of
SAN BERNARDINO EXCHANGE.
ASSOCIATED TELEPHONE COMPANY.

Commencing at a point on the present boundary of the San Bernardino Primary Rate Area located on the center line of Waterman Avenue 200 feet south of the center line of Base Line Street; thence in an easterly direction and at right angles to Waterman Avenue for a distance of 200 feet; thence in a northerly direction along a line parallel to and located 200 feet east of the center line of Waterman Avenue to the intersection with a line parallel to and located 500 feet north of the center line of Highland Avenue; thence in a westerly direction along the line parallel to and located 500 feet north of Highland Avenue to the intersection with a line parallel to LeRoy Avenue and located midway between LeRoy Avenue and Lynne Street; thence in a northerly direction along the line parallel to and located midway between LeRoy Avenue and Lynne Street to the intersection with a line parallel to and located 200 feet north of the extension of the center line of Shandin Road; thence in a westerly direction along the line parallel to and located 200 feet north of an extension of the center line of Shandin Road to the intersection with a line parallel to and located 200 feet east of the center line of "A" Street; thence in a northerly direction along the line parallel to and located 200 feet east of the center line of "A" Street to the intersection with a line parallel to and located 200 feet north of the center line of 30th Street; thence in a westerly direction along the line parallel to and located 200 feet north of the center line of 30th Street to the intersection with a line parallel to and 200 feet east of the center line of Mountain View Avenue; thence in a northerly direction along the line parallel to and 200 feet east of the

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center line of Mountain View Avenue, to the intersection with a line parallel to and located 300 feet north of the center line of Marshall Boulevard (Little Mountain Drive), thence in a westerly direction along the line parallel to and located 300 feet north of the center line of Marshall Boulevard (Little Mountain Drive) to the intersection with a line parallel to D Street and located midway between D Street and E Street; thence in a southerly direction along the line parallel to D Street and located midway between D Street and E Street to the intersection with a line parallel to and located 200 feet north of the center line of 30th Street; thence in a westerly direction along the line parallel to and located 200 feet north of the center line of 30th Street to the intersection with a line parallel to and located 200 feet west of the center line of G Street, thence in a southerly direction along the line parallel to and located 200 feet west of the center line of G Street to the intersection with a line parallel to and located 200 feet south of the center line of Shandin Road; thence in a westerly direction along the line parallel to and located 200 feet south of the center line of Shandin Road to the intersection with a line parallel to and located 200 feet west of the center line of I Street; thence in a southerly direction along the line parallel to and located 200 feet west of the center line of I Street to the intersection with a line parallel to and located 200 feet north of the center line of Highland Avenue; thence in a westerly direction along the line parallel to and located 200 feet north of the center line of Highland Avenue to the intersection with a line parallel to and located 200 feet west of the center line of Mt. Vernon Avenue; thence in a southerly direction along the line parallel to and located 200 feet west of the center line of Mt. Vernon Avenue to the intersection with a line parallel to and located 200 feet north of an extension of the center line of 16th Street; thence in a westerly direction along the line parallel to and located 200 feet north of an extension of the center line of 16th Street to the intersection

with an extension of the center line of Hale Avenue; thence in a direction due south for a distance of 200 feet to a point on the present boundary of the Primary Rate Area; thence in southerly, easterly and northerly direction, respectively, along the present boundary of the primary Rate Area to the point of beginning.

Street names shown in the above description are as indicated on Map of the City of San Bernardino compiled from official records dated February, 1924, filed in this proceeding as complainant's Exhibit No. 1.