

Decision No. 14241

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

POSTAL TELEGRAPH-CABLE COMPANY,  
a corporation,  
Complainant,

vs.

PACIFIC GAS AND ELECTRIC COMPANY,  
a corporation,  
Defendant.

ORIGINAL

Case No. 1362

Willard P. Smith, and Walthon  
C. Webb, for Complainant.

C. P. Cutten, for Defendant.

BY THE COMMISSION:

THIRD SUPPLEMENTAL OPINION AND ORDER

This Commission on August 2, 1924, in its Decision No. 13863, in this proceeding, ordered Postal Telegraph-Cable Company to submit to the Commission for approval, plans for the relocation of its communication circuits between the cities of Elmira and Davis, and for the relocation of its circuits in the vicinity of the town of Vandeen, the same to be submitted to this Commission within a period of sixty (60) days from the date of that Order. The period for the filing of these plans was subsequently extended, upon request of the complainant, to and including December 1, 1924.

On the ninth day of October, 1924, the Postal Telegraph-Cable Company filed with the Supreme Court of this State a petition for a Writ of Review under the provisions of section 67 of the Public Utilities Act, alleging that our said order is without the jurisdiction of this Commission and asking that the Court review and annul that portion of said order which directs the cost of line changes mentioned therein to be borne equally by Postal Telegraph-Cable Company and Pacific Gas and Electric Company, and asking also that the proceedings under said order be in the meantime stayed.

The Writ of Review asked for in said petition was granted by the Supreme Court on October 20, 1924, and was made returnable before the Court at Sacramento on the twenty-fourth day of November, 1924. No stay was granted by the Court. Since the date of the issuance of said writ, and notwithstanding said proceedings now pending in the Supreme Court of this State, Postal Telegraph-Cable Company did, on the twenty-fifth day of October, 1924, file with this Commission proposed plans for the relocation of its communication lines under and in accordance with, and in compliance with our said order and decision No. 13863. Inasmuch as by this action and its failure to press its petition for a stay of this order before the Supreme Court, it is apparent that Postal Telegraph-Cable Company recognizes that a compliance with our said order and Decision No. 13863 will in fact accomplish the results desired by it in mitigation of the inductive interference now suffered by it.

These plans contemplate relocating the communication circuits to a new location along adjoining highways between the cities of Elmira and Davis, and in the vicinity of the town of Vandeen, to a new location along the opposite side of the Southern Pacific Company's right-of-way. This proposal of the Postal Company for the relocation of its circuits will, in our opinion, mitigate the inductive interference which it is now experiencing due to the close proximity of the communication circuits with the paralleling power circuits.

Postal Telegraph-Cable Company has advised this Commission that it is now ready to commence the relocation of its lines, and there appears no good reason why it should not do so immediately.

In order that this Commission might be kept informed regarding the progress of this work, Postal Telegraph-Cable Company should submit to the Commission a monthly report of the work performed, together with a statement of the expenses incurred. Upon the completion of the relocation of its circuits involved in this proceeding, Postal Telegraph-Cable Company should then submit to the Commission a detailed statement covering all expenses incurred.

#### O R D E R

Postal Telegraph-Cable Company having submitted, on October 25, 1924, plans for the relocation of its communication circuits between Elmira and Davis, and also within the vicinity of the town of Vandeen, and it appearing to this Commission that these plans meet the conditions of the Order of Decision No. 13863, and there appearing no reason why complainant should not commence immediately to relocate its lines in accordance with its plans herein submitted,

IT IS HEREBY ORDERED that Postal Telegraph-Cable  
Company

- (1) Remove its circuits now existing between Elmira and Davis, and relocate the same in a new position along adjoining highways, as shown in Exhibit No. 1, attached hereto.
- (2) Remove its communication circuits now existing in the vicinity of the town of Vandeen, within that section where its circuits parallel the power circuits of the Pacific Gas and Electric Company on the same side of the Southern Pacific Company's right-of-way, and relocate the same in a new position along the southerly side of Southern Pacific Company's right-of-way.
- (3) Commence the work involved in complying with Sections (1) and (2) above, within ten (10) days of the date of this Order.
- (4) Commencing December 31, 1924, and monthly thereafter, submit to this Commission a report of progress of work performed and a statement of the expenses incurred in connection with the relocation of its lines.
- (5) Submit to this Commission, upon the completion of the relocation of the circuits herein involved, a detailed statement covering all the expenses incurred in connection with the relocation of the lines herein involved, within thirty (30) days after the construction work is completed.

Dated at San Francisco, California, this 16<sup>th</sup>  
day of November, 1924.

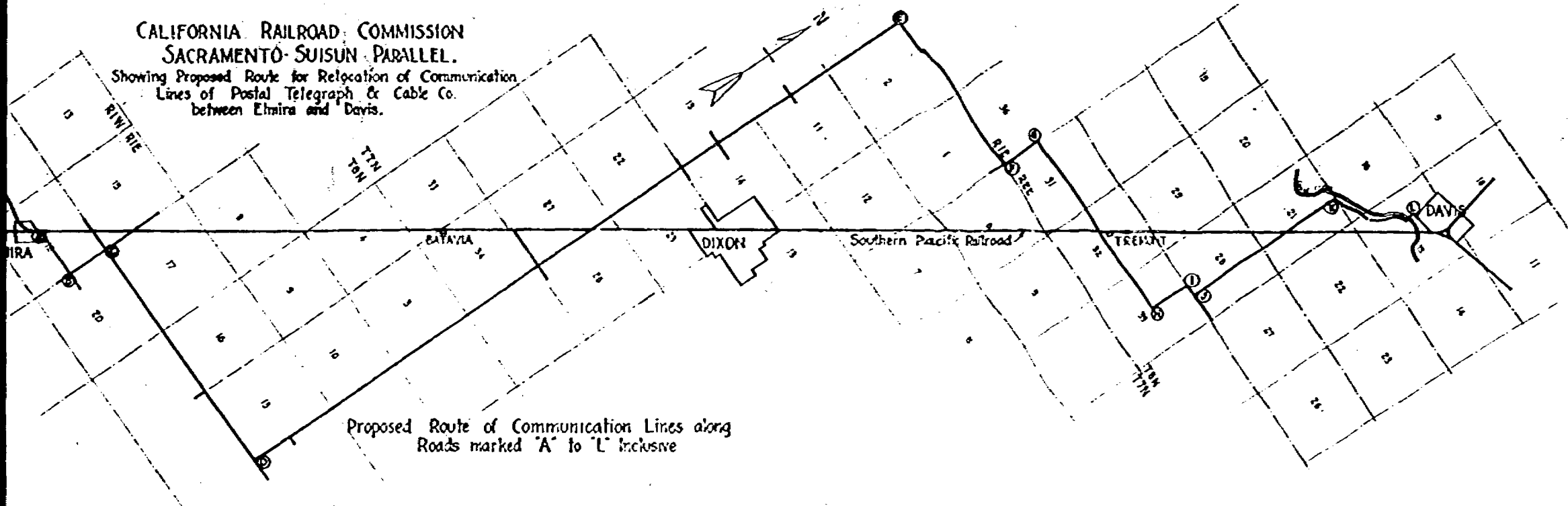
C. Seavey

H. B. Brundage

J. T. Whittaker  
Commissioners

CALIFORNIA RAILROAD COMMISSION  
SACRAMENTO-SUISUN PARALLEL.

Showing Proposed Route for Relocation of Communication  
Lines of Postal Telegraph & Cable Co.  
between Elmira and Davis.



Proposed Route of Communication Lines along  
Roads marked "A" to "L" inclusive