

Decision No. 16316

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
POMONA VALLEY TELEPHONE AND TELEGRAPH
UNION, ONTARIO AND UPLAND TELEPHONE
COMPANY, and THE PACIFIC TELEPHONE
AND TELEGRAPH COMPANY for authoriza-
tion to discontinue so-called free ser-
vice now being rendered between the
exchange systems of Pomona Valley
Telephone and Telegraph Union and
Ontario and Upland Telephone Company,
and to make effective in lieu there-
of standard interchange rates as now
on file with the Commission for the
service involved.

Application No. 11,480.

R. K. Pitzer and Ernest Irwin, for Pomona Valley Telephone
and Telegraph Union, one of the applicants.
James G. Marshall, for Ontario and Upland Telephone
Company, and for Pacific Telephone and Telegraph
Company, also applicants.

E. H. Jolliffe, City Attorney, for City of Ontario,
protestant.
Ralph C. Homan, City Attorney, for City of Chino, and for
Chino Chamber of Commerce, protestants.
Isaac Jones, for Chamber of Commerce of Ontario, and for
Ontario Business Men's Association, protestants.
Ernest Irwin, for California Independent Telephone
Association, an interested party.
Vincent G. Lucas, for Ontario Chamber of Commerce and
certain Agricultural Interests.

BY THE COMMISSION:

O P I N I O N

On February 11, 1926, this Commission issued its Decision
No. 15984 in the above entitled matter ordering the Pomona Valley
Telephone and Telegraph Union and the Ontario and Upland Telephone
Company to discontinue on and after March 1, 1926 the furnishing
of the so-called free toll service between Chino and Ontario and
Chino and Upland and that on and after March 1, 1926 the

Pacific Telephone and Telegraph Company shall furnish toll service between Chino and Ontario and between Chino and Upland and charge and collect the initial rate of five cents (5¢) per message.

On February 27, 1926, the Commission received a petition from the City of Ontario, Chamber of Commerce of Ontario and others requesting a rehearing of this Commission's Decision above referred to. This Commission then issued its Order setting aside the Order in Decision No. 15984 and re-opened the proceeding for the purpose of receiving further testimony.

The rehearing in this matter was then held before Examiner Williams in the City of Pomona, on March 15, 1926, at which time and place the matter was submitted.

It is the contention of the City, and the Chamber of Commerce of Ontario that the establishment of the five cent (5¢) toll rate between Ontario and Chino would place Ontario in an unfavorable position relative to Chino as compared with Pomona and that the telephone service between Ontario and Chino should be furnished upon the same basis as telephone service between Pomona and Chino.

There appears to the Commission at this time to be a number of questions regarding the telephone service to the various communities served by the utilities involved in this proceeding that should be investigated before the discontinuance of the so-called free service existing between Chino and Ontario and for this reason we are of the opinion that the Order in Decision No. 15984 should be set aside and that applicants' request for the discontinuance of this service should be denied.

O R D E R

The Railroad Commission on February 27, 1926, having issued its Supplemental Order setting aside the Order as contain-

ed in Decision No. 15984, dated February 11, 1926, in the above entitled proceeding and having re-opened this proceeding for the purpose of receiving further testimony, a public rehearing having been held and the matter having been submitted and now ready for decision:

The Railroad Commission of the State of California hereby finds as a fact that the Order in this Commission's Decision No. 15984 in Application No. 11480, dated February 11, 1926, should be vacated and set aside, and that application of the Pomona Valley Telephone and Telegraph Union, the Ontario and Upland Telephone Company and The Pacific Telephone and Telegraph Company requesting the discontinuance of the so-called free toll service between Chino and Ontario Exchanges should be denied.

Basing its Order on the foregoing findings of fact and upon such other findings of fact as are set forth in the Opinion preceding this Order,

IT IS HEREBY ORDERED that the Order of the Railroad Commission in its Decision No. 15984 in Application No. 11480, dated February 11, 1926, be and it is hereby vacated and set aside.

IT IS HEREBY FURTHER ORDERED that the application of the Pomona Valley Telephone and Telegraph Union, the Ontario and Upland Telephone Company and The Pacific Telephone and Telegraph Company, requesting authority to discontinue the so-called free toll service between Chino and Ontario Exchanges be and the same is hereby denied.

Dated at San Francisco, California, this 29th day of March, 1926.

H. B. Bunker
Chancellor
Frank B. Scott

Commissioners.

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