

Decision No. 16727.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA .

In the matter of the applica-  
tion of COOK, McKENZIE & SON  
for authority to build and  
operate a telephone exchange.

Application No. 12,465

W. D. McKenzie, for applicant.  
L. M. Brown, for The Pacific Telephone  
and Telegraph Company.

BY THE COMMISSION:

O P I N I O N

In this proceeding, Cook, McKenzie & Son, a co-partnership, applicant, asks that the Railroad Commission issue its Order granting applicant a certificate of public convenience and necessity which will permit applicant to construct a telephone system in Monticello, Napa County and vicinity, and to operate same as a public telephone utility.

Hearings were held in this matter by Examiner Satterwhite in Monticello on April 14th and April 30, 1926.

Testimony taken at the first hearing showed that a telephone system consisting of two telephone stations and fence wire connection was established in Monticello in 1907. In 1908 an insulated line system was installed on the co-operative basis, having a switchboard located in the store of applicant, with the agreement that applicant was to receive suitable compensation for switching services rendered. Applicant's witness stated that the compensation agreed upon was never received and that the

service of interconnecting lines at the request of users had been performed free of cost to the users by his firm for the past twenty-five (25) years. The general merchandising business in which applicant is engaged, demanded so much of applicant's employees' time that such switching service could no longer be performed without compensation, he said.

Applicant presented Exhibits filed at the first hearing which set forth proposed rates, rules and regulations and territory in which service was to be offered and furnished.

It was shown, according to applicant's witness, that the application for the proposed rates would not provide sufficient revenue to equal estimated reasonable expenses; furthermore, those persons present at the hearing protested against the proposed plan of applicant, both as to rates and service, as it was apparent that if service, as existing at Monticello, were to be withdrawn, the Town and vicinity would be without exchange telephone service and as the request of applicant for compensation for the rendering of switching service was reasonable, it was conceded that a misunderstanding as to reasonable conditions under which service might be rendered, existed, both on the part of applicant and of protestants.

At the request of Examiner Satterwhite, Assistant Engineer F. M. Casal attended an informal meeting of interested parties which was held in Monticello on April 20, 1926. At this meeting matters pertaining to the operation of a telephone utility service in and about the Town of Monticello were explained and fully discussed. As a result, a resolution was passed by those present to petition the Railroad Commission to grant applicant, Cook, McKenzie & Son, permission to operate a telephone system as prayed for and under rates as amended by applicant.

Applicant filed at the adjourned hearing in this matter,

an amended rate schedule, cancelling the schedule presented at the first hearing and the petitions above referred to.

Applicant has had experience in the rendering of telephone service, is and has been for some time past in charge of the Monticello Terminal of The Pacific Telephone and Telegraph Company's Winters - Monticello toll line, acting as agent for that Company and states through its witness, Mr. W. D. McKenzie, a member of the firm, that he is ready and willing to reconstruct certain telephone lines in Monticello for the purpose of providing an improved telephone service and it appears that it would be in the interests of persons at present having telephone connections to Monticello and the public generally, to grant the petition of this applicant. There appears to be no good reason why Cook, McKenzie & Son, should not be permitted to provide telephone service as a public utility in the territory as set forth in the revised area shown on map filed by applicant at the first hearing and under rates shown in the amended schedule filed at the adjourned hearing in this proceeding.

#### O R D E R

Cook, McKenzie & Son, having made application to the Railroad Commission for an order granting a certificate of public convenience and necessity requiring it to operate as a public utility in and in the vicinity of Monticello, Napa County, California; the Board of Supervisors of Napa County having granted Cook, McKenzie & Son the right and privilege of constructing and maintaining telephone lines on and along the public highways of Napa County; a public hearing having been held, the Railroad Commission having fully considered all evidence in this proceeding, and the matter being submitted and ready for decision,

The Railroad Commission of the State of California, hereby declares that public convenience and necessity require Cook, McKenzie & Son, to operate a telephone system in and in the vicinity of Monticello, Napa County, California.

The Railroad Commission finds as a fact that Cook, McKenzie & Son should render telephone service throughout the territory as shown in Exhibit "A" attached hereto under rates for service, as set forth in Exhibit "B" attached hereto.

Basing its order on the foregoing finding of fact and upon other findings of fact contained in the Opinion preceding this Order:

IT IS HEREBY ORDERED that Cook, McKenzie & Son shall

(1) Furnish on and after June 1, 1926, telephone service within the territory shown in Exhibit "A", attached hereto.

(2) Charge and collect, effective as of June 1, 1926, the rates for service as shown in Exhibit "B", attached hereto.

(3) File with the Railroad Commission on or before May 31, 1926, the schedule of rates referred to in Section (2) above, together with rules and regulations similar to those set forth in this Commission's Decision No. 13,478 (24 C.R.C. 854) as may be approved by this Commission;

(4) File with the Railroad Commission a map of the territory served referred to in Section (1) above, and a map showing Individual Line Area as set forth in Exhibit "C", attached hereto.

For all other purposes, the effective date of this

order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 14<sup>th</sup> day  
of May, 1926.

H. B. Brundage  
C. L. Seaver  
Edmund St.  
Leon Whitell

Commissioners

EXHIBIT "A"

MAP OF EXCHANGE AREA

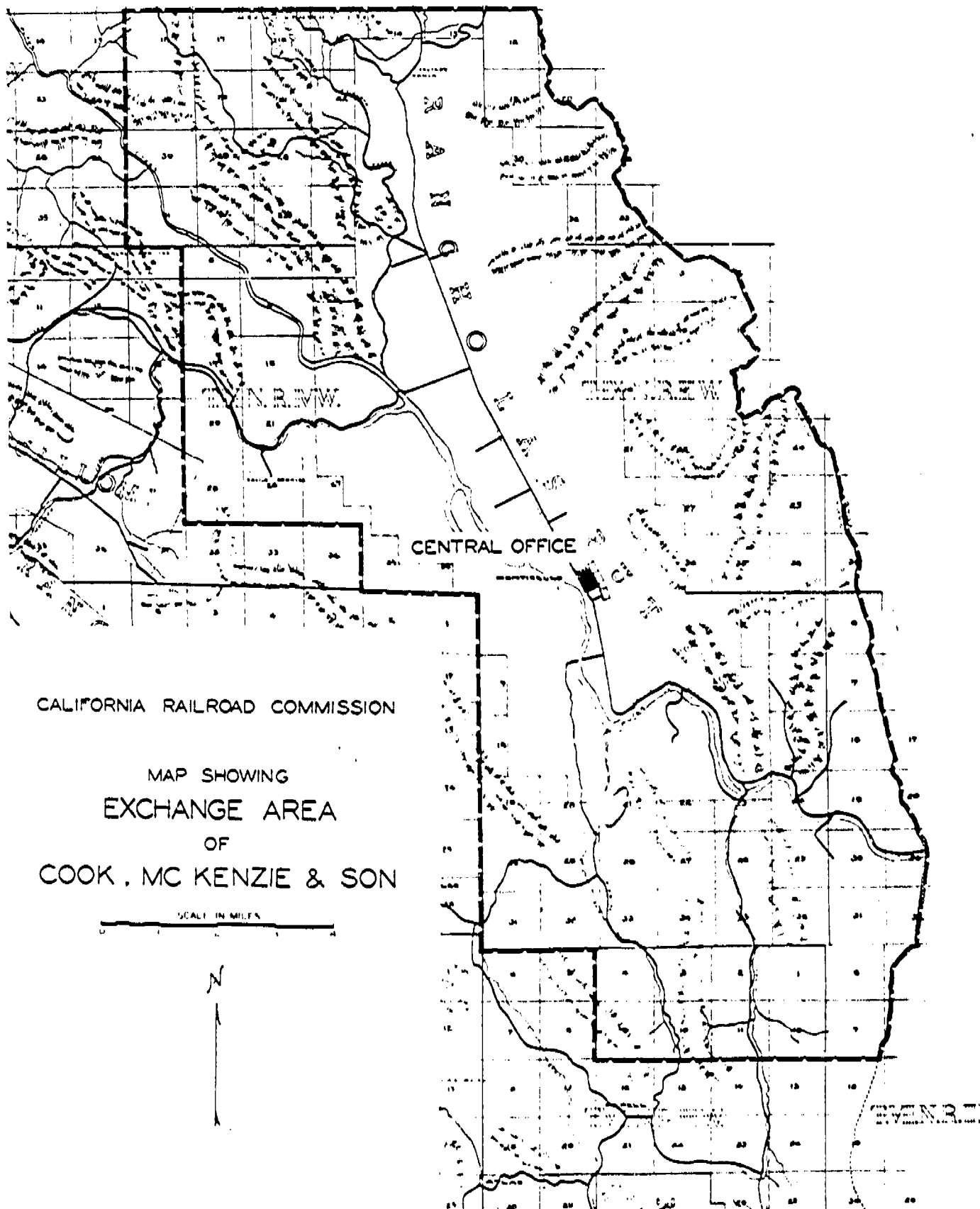
of

COOK, MCKENZIE & SON

MONTICELLO, CALIF.

EXCHANGE AREA

BOUNDARY



CALIFORNIA RAILROAD COMMISSION

MAP SHOWING  
EXCHANGE AREA  
OF  
COOK, MC KENZIE & SON

SCALE IN MILES

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EXHIBIT "B"

RATES



EXCHANGE SERVICE SCHEDULE NO. A-1.

INDIVIDUAL LINE SERVICE:

MONTICELLO

Service:

Applicable to individual line Flat Rate Service within the Individual Line Area.

Rate:

	<u>Rate per Month</u>	
	<u>Wall Set</u>	<u>Desk Set</u>
(1) Business flat rate service:		
Each individual line station,	\$2.50	\$2.75
Each extension station with bell,	1.00	1.25
(2) Residence flat rate service:		
Each individual line station,	2.00	2.25
Each extension station with bell,	1.00	1.25

Conditions:

1. Extension stations at the above rates are installed on the premises on which the primary station is located.

EXCHANGE SERVICE SCHEDULE NO. A-2.

PARTY LINE SERVICE:

Service:

Applicable to party line Flat Rate Service within the Exchange Area.

Rate:

	<u>Rate per Month</u>	
	<u>Wall</u> <u>Station</u>	<u>Desk</u> <u>Station</u>
Each party line business station,	\$2.25	\$2.50
Each party line residence station,	2.00	2.25

Conditions:

Party line service is furnished within the Exchange Area. In no case will the total number of stations connected to one circuit exceed ten (10) stations.

EXCHANGE SERVICE SCHEDULE NO. A-3.

FARMER LINE SERVICE:

Service:

Applicable to Farmer Line Service within the Exchange Area.

Rate:

Farmer Line Service	Rate per Month	
	<u>Business Service.</u>	<u>Residence Service.</u>
Each Station,	\$1.50	\$1.00

Minimum Charge:

The minimum charge for Farmer Line Service, per circuit, is \$2.50 per month.

Conditions:

(1) Farmer Line Service will be furnished within the Exchange Area. A Farmer Line shall not extend across an Exchange Area boundary.

(2) The Company provides, owns and maintains all lines and facilities used to furnish Farmer Line Service to the boundary of the Individual Line Area except service drop wires, telephone instruments, batteries and station protective apparatus.

(3) The subscriber provides, owns and maintains all lines and facilities from the Company's line at the boundary of the Individual Line Area to the subscriber's instrument.

EXHIBIT "C"

MAP OF INDIVIDUAL LINE AREA

MONTICELLO EXCHANGE

CALIFORNIA RAILROAD COMMISSION

MAP SHOWING  
INDIVIDUAL LINE AREA  
OF  
COOK, MC KENZIE & SON

