

Decision No. 16959.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of The Pacific Telephone and Telegraph Company, a corporation, for an order of the Railroad Commission of the State of California granting it a certificate that public convenience and necessity require the exercise by it of the rights and privileges conferred upon it under the franchise granted it by the City Council of the City of Modesto by Ordinance Number 282 (N.S.) on the 13th day of January, 1926.

Application No. 12,868.

James G. Marshall, for applicant.

WHITSELL, COMMISSIONER:

O P I N I O N

The Pacific Telephone and Telegraph Company in the above entitled proceeding requests this Commission for an order granting it a certificate that public convenience and necessity require the exercise by it of the rights and privileges conferred upon it under the franchise granted it by the City Council of the City of Modesto by Ordinance No. 282 (N.S.) on the 13th day of January, 1926. A hearing was held in this matter in San Francisco on June 14, 1926.

Applicant is now, and for a long time has been, engaged in a general telephone and telegraph business in the City of Modesto and it appears that public convenience and necessity will be served by the granting of applicant's request.

O R D E R

The Pacific Telephone and Telegraph Company having requested this Commission for an order granting it a certificate that public convenience and necessity require the exercise by it of the rights and privileges conferred upon it under a certain franchise granted it by the City Council of the City of Modesto, a copy of said franchise having been filed with the Railroad Commission, The Pacific Telephone and Telegraph Company having stipulated in a form satisfactory to this Commission as to the claim for value of said franchise and that its successors nor assignees will never claim before the Railroad Commission or before any court or other public body any value for the aforesaid franchise in excess of the sum of Eight Hundred and Thirty-two Dollars and seventy-eight cents (\$832.78), the amount actually paid by it to the City of Modesto, a public hearing having been held on the above entitled proceeding, the matter being submitted and now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the exercise of the rights and privileges contained in said franchise, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to The Pacific Telephone and Telegraph Company authorizing the exercise by it of the rights and privileges conferred upon it

by Ordinance No. 282 (N.S.) dated June 13, 1926, by the City Council of the City of Modesto.

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

Dated at San Francisco, California, this 19th day of June, 1926.

H. B. Pringle  
Chas. E. ...  
Esmeralda  
Leon Whitell

Commissioners.