

Decision No. 16989.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the Application of NEVADA, CALIFORNIA AND OREGON TELEGRAPH & TELEPHONE COMPANY for Certificate of Public Convenience and Necessity to construct an extension to its existing telephone and telegraph lines along the State Highway between Bieber, Lassen County, and Fall River Mills, Shasta County, California, via Pittville and McArthur, Shasta County, California, and to operate said extension for the transaction of both interstate and intrastate telephone and telegraph business in conjunction with Applicant's system generally and to serve the communities along and the territory generally adjacent to said Highway in so far as the same are not at present served by other Utility.

Application No. 12,760.

ORIGINAL

Albert A. Rosenshine, for Applicant.
Wm. C. O'Donnell, Secretary of the Lassen County
Chamber of Commerce, for the people of
Big Valley.
J. C. Lamburth, M. D. Pratt, and F. L. Whipple,
for Fall River Valley Telephone Company.

WHITSELL, COMMISSIONER:

O P I N I O N

Nevada, California and Oregon Telegraph and Telephone Company, hereinafter referred to as the Applicant, in the above entitled proceeding requests this Commission for an Order granting it a certificate that public convenience and necessity require the construction by it of a telephone and telegraph line

from Bieber, Lassen County, to Fall River Mills, Shasta County. Applicant desires to connect the proposed line to its existing line at Bieber and to a circuit of Bass Telephone Lines at Fall River Mills.

A hearing was held in this matter in Susanville on June 1, 1926.

Applicant introduced evidence, through its witnesses at the hearing, which purported to show that the requirements of the public, in Lassen and Modoc Counties generally and of the residents of Big Valley particularly, demanded the construction of the proposed line; that the construction of the proposed line would make possible the use of much less wire mileage between points in Lassen and Modoc Counties and points in the Sacramento Valley resulting in improved transmission and service to the public; and that rates for toll telephone service would be much less when using the more direct route than are effective over the existing toll route via Reno, Nevada, between points in Modoc County and the Sacramento Valley.

The Fall River Valley Company operates a toll telephone line between McArthur and Fall River Mills and exchange telephone lines extending from its McArthur central office to Pittville, which would be paralleled by line which applicant proposes to construct. It is apparent that the construction of a toll telephone line through Pittville and McArthur by applicant is of no interest to the Fall River Valley Company in the event that toll telephone, or telegraph stations for the transmission and reception of communications by the

public generally are not established at either of these points. It would be through such stations only that competition with the operations of the Fall River Valley Company could be developed.

It appears that public convenience and necessity would be served by the granting of applicant's request as the record shows quite clearly that such action would be favorable to users situated in Lassen and Modoc Counties, particularly. I do not believe, however, that the necessity for the location of toll stations at McArthur and Pittville has been established and will recommend that permission to open such stations be not granted at this time, but if, in the future, conditions warrant these stations may be established after proper showing to this Commission.

Applicant proposes to establish rates for toll telephone and telegraph service in connection with the projected line similar to those now in effect over like distances in other parts of its system. I am not able to pass upon the reasonableness of these rates at this time and the question of rates over the system of applicant generally is not one involved in this proceeding, but in my opinion the preservation of a uniform system of rate fixing over the entire system is sufficient justification for fixing such rates for use of the line proposed herein.

I recommend the following form of Order:

O R D E R

Nevada, California and Oregon Telegraph and Telephone Company having requested the Railroad Commission for an Order granting it a certificate of public convenience and necessity authorizing it to construct an extension to its existing tele-

phone and telegraph lines along the State Highway between Bieber, Lassen County, and Fall River Mills, Shasta County, California, a public hearing having been held in this proceeding, the matter being submitted, and now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the construction and operation of a toll telephone and telegraph line between Bieber, Lassen County and Fall River Mills, Shasta County, California, and,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Nevada, California and Oregon Telegraph and Telephone Company authorizing the construction and operation by it as a public utility of a toll telephone and telegraph line between Bieber, Lassen County, and Fall River Mills, Shasta County for the transmission of intelligence to and from Bieber and points on its existing lines east of Bieber, and Fall River Mills.

IT IS HEREBY FURTHER ORDERED that Nevada, California and Oregon Telegraph and Telephone Company shall charge and collect rates for toll telephone and telegraph service between Fall River Mills and Bieber which shall be based on its toll telephone and telegraph rate structure at present in use on its system and shall be equal to rates for similar service under similar conditions elsewhere on its lines, after showing to this Commission that it has completed construction necessary to render toll telephone and telegraph service between Fall River Mills and Bieber and upon issuance of a supplemental order by this Commission.

IT IS HEREBY FURTHER ORDERED that Nevada, California

and Oregon Telegraph and Telephone Company be and it is hereby authorized to establish and maintain physical connections for the interchange of toll telephone and telegraph business at Fall River Mills, Shasta County, with the lines of Bass Telephone Lines and Fall River Valley Telephone Company under connecting contracts which may be entered into by Nevada, California and Oregon Telegraph and Telephone Company and Bass Telephone Lines and Fall River Valley Telephone Company and which may be approved by the Railroad Commission.

The authority herein contained is granted subject to the following conditions and not otherwise:

(1) Nothing herein shall be construed as authorizing the establishment of any toll station, telephone exchange, telegraph station or the connection for public use of any telephone or telegraph instrument to the toll telephone and telegraph line between Fall River Mills and Bieber other than the terminal station in Fall River Mills.

(2) The construction work necessary for the purpose of furnishing toll telephone and telegraph service between Fall River Mills and Bieber by means of the line considered in this proceeding shall be commenced on or before August 1, 1926 and shall be completed on or before February 1, 1927.

For all other purposes the effective date of this Order shall be twenty (20) days from and after the date hereof.

The foregoing opinion and order are 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 25th
day of June, 1926.

H. P. Bannard

Chase

Emmott

Commissioners.