

Decision No. 18389.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the Investigation
upon the Commission's own motion
into the closing by Postal Telegraph-
Cable Company, a public utility, of its
telegraph office in the City of
Pomona, California.) Case No. 2358.

Willard P. Smith, for Postal Telegraph-
Cable Company.

Ernest Irwin, for California Independ-
ent Telephone Association.

BRUNDIGE, COMMISSIONER:

O P I N I O N

This is the matter of the investigation upon the Commission's own motion into the closing by Postal Telegraph-Cable Company, a public utility, of its telegraph office in the City of Pomona.

A hearing was held in this case in San Francisco, on May 12, 1927, at which place and time the matter was submitted for decision.

The Postal Telegraph-Cable Company, sometimes hereinafter referred to as the Postal, is a California corporation, which has been doing a telegraph and telephone business in the State of California for the past several years. In the performance of its telegraph operations, it, from time to time, opens offices for the transaction of a general telegraph business and closes offices from which it has been doing a general telegraph business.

On April 1, 1927, the Postal by its "Advice No. 7" and

"Revised Sheet C.R.C.No. 119-T Cancelling Revised Sheet C.R.C. No. 105-T" dated March 31, 1927, advised this Commission that its telegraph office in the City of Pomona had been closed. No authority from the Commission having been requested or obtained for the closing of said telegraph office and the discontinuance of public telegraph service therefrom, the Commission instituted this proceeding.

Following the making of its ORDER INSTITUTING INVESTIGATION by the Commission, the Postal made ANSWER alleging that on April 1, 1927, the building in which its telegraph office in the City of Pomona had been located was torn down; that it was unable to secure another location in said City; that, since the closing of said office and at the date of its ANSWER, the City of Pomona was not deprived of telegraph service by reason of the closing of said office; and that the amount of its business in the City of Pomona does not justify the continuance or the re-opening of said office.

At the hearing in this matter, Mr. George W. Holt, Secretary of the Postal, stated, as a witness, that the Company's operations in the City of Pomona resulted in a deficit of three hundred and sixty (360) dollars for the year 1925 and a deficit of one hundred and forty (140) dollars for the year 1926 and substantiated in other respects the allegations of defendant's ANSWER.

The Postal was in error in not making application to this Commission for authority to close its office in the City of Pomona. It appears, however, that the telegraph requirements of the public in the City of Pomona will be served properly at this time by the facilities of the Western Union Telegraph Company and The Pacific Telephone and Telegraph Company, now, as before, available in that City. It is my opinion that Postal Telegraph-Cable Company should not be required to re-open its telegraph office in the City of Pomona.

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I submit the following form of order:

O R D E R

The Railroad Commission of the State of California having instituted upon its own motion an investigation into the closing by Postal Telegraph-Cable Company of its telegraph office in the City of Pomona, California, a public hearing having been held thereon, the matter having been submitted and being now ready for decision,

The Railroad Commission of the State of California hereby finds as a fact that the Postal Telegraph-Cable Company did close its telegraph office in the City of Pomona on March 31, 1927 without authority from this Commission; that the telegraph service demands of the City of Pomona will be properly satisfied by the services of those companies which are at this time rendering telegraph service therein; that no good purpose will be effected by the re-opening of a telegraph office in Pomona by Postal Telegraph-Cable Company; and therefore

IT IS HEREBY ORDERED that Postal Telegraph-Cable Company be and it is hereby authorized to abandon telegraph utility service in the City of Pomona and to file, in accordance with the Commission's General Order No. 68, rate sheets setting forth the fact that said office is closed.

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 24th day of

March, 1927.

[Signature]
[Signature]
[Signature]
[Signature]
Commissioners.