

Decision No. 20046.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
W. E. HILLS
 for authority to transfer the so-called Bass Telephone Lines in Shasta County, California, to Nevada, California and Oregon Telegraph and Telephone Company, and for authority of said Nevada, California and Oregon Telegraph and Telephone Company to acquire said lines.

Application No. 14625.

ORIGINAL

T. W. Dahlquist, for Nevada, California and Oregon Telegraph and Telephone Company.
 A. J. Mathews, for W. E. Hills.

BY THE COMMISSION:

O P I N I O N

In this proceeding W. E. Hills asks that the Railroad Commission make its order authorizing him to sell and transfer a telephone system, known as Bass Telephone Lines, to Nevada California and Oregon Telegraph and Telephone Company. The Nevada, California and Oregon Telegraph and Telephone Company asks authority to acquire and operate said lines.

A public hearing was held in this proceeding before Examiner Satterwhite in San Francisco on June 20, 1928, at which time the matter was submitted.

It appears that the applicant Nevada, California and Oregon Telegraph and Telephone Company was incorporated under the laws of the State of Nevada in 1910 and commenced to transact an interstate telephone and telegraph business in the states of California and Nevada in the year 1911 and ever since has been engaged in commerce among the several states of this Union, viz., an interstate telephone and telegraph business among the states of California, Nevada and Oregon, and also an intrastate business of like character within the State of California.

The property for which authorization to transfer is asked is that certain telephone business known as Bass Telephone Lines, the telephone lines of which connect to other lines or to telephone stations in Redding, Churn Creek, Buckeye, Bella Vista, Palo Cedro, Stillwater, Millville, Fern, Ingot, Bend, Round Mountain, Montgomery Creek, Wengler, Burney, Carbon and Fall

River Mills, all in Shasta County, California; together with all poles, wires, telephone sets and equipment of every kind and nature used in connection with said telephone line. This property was recently transferred to W. E. Hills by George W. Johnstone and Bertha F. Johnstone by authority contained in this Commission's Decision No. 19601.

Nevada, California and Oregon Telegraph and Telephone Company proposes to operate the property which it desires to acquire from W. E. Hills in conjunction with its present properties. By such an arrangement the patrons of the Bass Telephone Lines would be assured of telephone service provided by those of long experience in the telephone business. Request was made at the hearing by the Nevada, California and Oregon Company that it be permitted to operate the Bass Telephone Lines System as a separate entity, keeping all accounts entirely separate from those of the present system of the Nevada, California and Oregon Company. It appears that a better arrangement would be to combine the operation of these two systems. Rate schedules and reports to this Commission should be filed in the name of the purchasing company.

No definite consideration was named for the transfer for the specific properties involved in this proceeding, it being understood that the consideration previously agreed to by the Nevada, California and Oregon Company for the transfer of other properties contemplated the transfer of the Bass Telephone Lines properties.

O R D E R

W. E. Hills having made application to the Railroad Commission to sell public utility telephone properties to Nevada, California and Oregon Telegraph and Telephone Company,

and the Nevada, California and Oregon Telegraph and Telephone Company having asked for authorization to acquire said properties, a public hearing having been held and the Railroad Commission being of the opinion that this application should be granted,

IT IS HEREBY ORDERED that W. E. Hills be and he is hereby authorized to sell and transfer to Nevada, California and Oregon Telegraph and Telephone Company the telephone properties referred to in the opinion preceding this order, and that Nevada, California and Oregon Telegraph and Telephone Company be and it is hereby authorized to purchase and acquire said telephone properties.

IT IS HEREBY FURTHER ORDERED that Nevada, California and Oregon Telegraph and Telephone Company, on and after the date on which it acquires the telephone properties herein referred to, shall render telephone and telegraph service in the area now served by the Bass Telephone Lines, in accordance with the rates and tariffs and rules and regulations at present filed and effective, or to become effective on July 1, 1928.

IT IS HEREBY FURTHER ORDERED that W. E. Hills be and he is hereby authorized to discontinue the furnishing of telephone and telegraph service in the area now served by Bass Telephone Lines on and after the date of transfer of these properties.

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

(1) The transfer of telephone properties herein referred to shall be made on or before December 31, 1928.

(2) The consideration for which the telephone properties is herein authorized to be transferred shall not be urged

before this Commission, or any other public body, as a measure of value of such properties for any purpose other than this transfer.

(3) Nevada, California and Oregon Telegraph and Telephone Company shall file with this Commission a certified copy of the deed or other instrument of transfer, by virtue of which it acquires title to the properties it is authorized to purchase, within thirty days after such deed or instrument is executed.

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 16th day of July, 1928.

C. J. Deane

Thos. D. Loutin

M. J. Carr
 Commissioners.