

Decision No. 21256

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

CITY OF LONG BEACH, a
municipal corporation,

Complainant,

Vs.

CONSOLIDATED UTILITIES COMPANY,
a corporation, and ASSOCIATED
TELEPHONE COMPANY, a corpora-
tion,

Defendants.

ORIGINAL

Case No. 2564.

John K. Hull and Beach Basey,
For Complainant.

James G. Marshall,
For Defendant
Consolidated Utilities Company.

Ernest Irwin, and C. F. Mason,
For Defendant
Associated Telephone Company.

BY THE COMMISSION:

O P I N I O N

In the complaint herein, City of Long Beach alleges that a certain area shown on a map, designated Exhibit "A" attached to the complaint, situated within the corporate limits of the City of Long Beach and now a part of the exchange telephone service territory of the Consolidated Utilities Company, should be transferred to and be included in the Long Beach Exchange Area of the Associated Telephone Company.

Consolidated Utilities Company and Associated Telephone Company, each and separately, filed an answer to the

complaint in general denial of the allegations made by Complainant.

A hearing upon the issues thus joined was conducted by Examiner Handford at Long Beach on June 3, 1929, at which time the matter was duly submitted for decision.

In open hearing James G. Marshall made tender of satisfaction for Consolidated Utilities Company by stipulating an agreement to the relocation of a portion of the common boundary of the Long Beach and Consolidated Utilities Exchange Areas as follows:

"Commencing at a point on the westerly boundary of the present Long Beach exchange area, and 150 feet southwest of the center line of Long Beach Boulevard, which would be south of 56th Street; thence northwest along a line parallel to and 150 feet southwest of Long Beach Boulevard to the center of Artesia Street; thence along the center line of Artesia Street to the center line of the Union Pacific Railway right-of-way; thence south along the Union Pacific Railway right-of-way to its intersection with the extension of a line 150 feet north of Poppy; thence west along a line 150 feet north of Poppy to the Long Beach exchange boundary."

Mr. Marshall further stipulated that Consolidated Utilities Company would agree to render Foreign Exchange Service in Long Beach Exchange Area on the plan and at the rate levels ordered into effect by the Railroad Commission in its Decision No. 20802 for Glendale exchange telephone service in Burbank exchange area.

Ernest Irwin for Associated Telephone Company stipulated that Associated Telephone Company was agreeable to the relocation of the exchange boundary as described above and would agree to render Foreign Exchange Service in the exchange area of Consolidated Utilities Company in accordance with the plan

set forth in Decision No. 20802, excepting that any subscriber to Long Beach service in the Hynes primary rate area shall also have exchange service from the Consolidated Utilities Company.

John K. Hull, for complainant, thereupon stated in open hearing that the satisfaction tendered was acceptable. No one made objection and all that is necessary to dispose of this matter is an order directing the defendant companies to file and make effective rates for Foreign Exchange Service and maps showing exchange areas as modified.

O R D E R

This case being at issue upon complaint, a hearing having been held, the respective defendants having tendered satisfaction of the complaint, and the complainant having accepted such tender of satisfaction as sufficient;

IT IS HEREBY ORDERED that Consolidated Utilities Company shall:

1. File on or before June 28, 1929, effective July 1, 1929, a rate schedule for Long Beach Foreign Exchange Service in its exchange area in accordance with the rate plan and conditions of service ordered in Decision No. 20802 of the Railroad Commission, excepting that a subscriber to Long Beach exchange telephone service in the Hynes primary rate area shall be required to have service from the Consolidated Utilities Company's Exchange.

2. File on or before June 28, 1929, a map of its exchange area modified to show the relocation of the common exchange boundary as described in the opinion preceding this order.

3. Discontinue all local exchange telephone service in the area herein ordered to be transferred, from the Consolidated Utilities Company's exchange area to the Long Beach Exchange area, effective on and after July 1, 1929.

IT IS HEREBY FURTHER ORDERED that Associated Telephone Company shall:

1. File on or before June 28, 1929, effective July 1, 1929, a rate schedule for Consolidated Utilities Company Foreign Exchange Service in the Long Beach Exchange Area in accordance with the rate plan and conditions of service ordered in Decision No. 20802 of the Railroad Commission.

2. File on or before June 28, 1929, a map of its Long Beach Exchange Area modified to show the relocation of the common exchange boundary as described in the opinion preceding this order.

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 18th day of June, 1929.

Frank D. Louder

C. J. Sawyer

Leon Whitall

W. P. Carr

Commissioners.