

Decision No. 22198.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Investigation upon the Commission's own motion into the propriety of discontinuing Tustin Telephone Exchange and combining the area comprising said Exchange with the Santa Ana Exchange Area of The Pacific Telephone and Telegraph Company and into the propriety of increasing the rates now in effect in said Tustin Exchange Area to a level of those now in effect in the Santa Ana Exchange Area.

ORIGINAL

Case No. 2823.

James G. Marshall, for The Pacific Telephone and Telegraph Company.
Head, Wellington & Jacobs, by M. B. Wellington, for Petitioners.
J. J. Deuel, for California Farm Bureau Federation.
Ernest Irwin, for California Independent Telephone Association.

WHITSELL, COMMISSIONER:

O P I N I O N

In the above entitled proceeding the Railroad Commission, acting upon its own motion, has instituted an investigation into the propriety of combining the Santa Ana and Tustin exchanges and applying the present effective Santa Ana telephone rates to service in the combined exchange.

The business district of Tustin is less than three miles distant from that of Santa Ana, the county seat of Orange County. Business and professional men of Santa Ana, for some time past, have been establishing their residences in the vicinity of Tustin, particularly in the Red Hill, Lemon Heights and Panorama Heights districts which are north and east of the Tustin business center. They desire direct Santa Ana telephone service. At present the

Tustin community has a separate exchange with toll service to and from Santa Ana and other communities.

A public hearing was held in this proceeding in Santa Ana on February 21, 1930, when the matter was submitted for decision.

Arthur B. Fry, Telephone and Telegraph Engineer for the Commission, gave testimony concerning the present method of rendering telephone service in the Tustin community and investigations which he had made relative to securing relief for the situation. The witness introduced in evidence a petition, signed by residents of Red Hill, Lemon Heights and Panorama Heights districts, requesting Santa Ana service which had been received by the Commission.

Another petition, received by the Commission and offered in evidence, had been signed by subscribers to telephone service in the Tustin Exchange who desired that Tustin Exchange be discontinued. These petitions include the names of more than 99 per cent of the telephone subscribers of the Tustin Exchange. The relative sizes of the exchanges are indicated by the connected stations as of December 20, 1929, which were 6,977 for Santa Ana and 336 for Tustin. The petitioners set up certain conditions under which their request was made, particularly that the Tustin base rate area be added to the Santa Ana base rate area and that rates applicable in the Tustin community be no greater than Santa Ana rates. The Commission's engineer recommended a preferable method of arranging directory listings and expressed an opinion, based upon the peculiar conditions obtaining in the Santa Ana and Tustin areas, that Tustin Exchange should be discontinued.

Mr. James G. Marshall, for The Pacific Telephone and Telegraph Company, then offered a tender of satisfaction agreeing to the discontinuance of Tustin Exchange.

No objection to the abandonment of Tustin Exchange was entered at the hearing.

Under these circumstances all that is necessary to dispose of this matter is an order directing The Pacific Telephone and Telegraph Company to file and make effective maps, rate schedules and rules and regulations necessary to produce the telephone service conditions requested by the petitioners.

I recommend the following form of Order:

O R D E R

The Railroad Commission of the State of California having instituted an investigation into the propriety of discontinuing the Tustin Exchange of The Pacific Telephone and Telegraph Company and consolidating Tustin Exchange area with Santa Ana Exchange area, a public hearing having been held in the proceeding, The Pacific Telephone and Telegraph Company having made tender of satisfaction in open hearing and the matter having been submitted for decision,

The Railroad Commission of the State of California hereby finds as a fact that Tustin Exchange should be discontinued, that Tustin and Santa Ana Exchange areas should be consolidated and that Santa Ana Exchange rates for telephone service should be made effective in the present Tustin Exchange area in the manner set forth in the opinion which precedes this order.

IT IS HEREBY ORDERED that The Pacific Telephone and Telegraph Company shall, on or before August 1, 1930:

- (1) Discontinue Tustin Exchange.
- (2) Consolidate Tustin Exchange area with Santa Ana Exchange area as of date of discontinuance of Tustin Exchange.
- (3) Consolidate Tustin base rate area with Santa Ana base rate area, including intervening territory, as of date of

discontinuance of Tustin Exchange.

(4) Make effective in consolidated Santa Ana-Tustin Exchange area all rates, rules and regulations now applicable to Santa Ana service as of date of discontinuance of Tustin Exchange.

(5) Submit for filing with the Railroad Commission, not later than ten (10) days before the date of the discontinuance of Tustin Exchange, a map or maps showing consolidated exchange and base rate areas as ordered in conditions (2) and (3).

(6) Submit for filing with the Railroad Commission, not later than ten (10) days before the date of the discontinuance of Tustin Exchange, rate schedules in accordance with condition (4).

(7) Cancel, as of the date of the discontinuance of Tustin Exchange, base rate and exchange rate area maps, schedules of rates and rules and regulations now applicable to Tustin telephone and telegraph service.

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 12th day of March, 1930.

C. L. ...

Leon ...
Thos. ...

Commissioners.