

Decision No. 22268

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

CALIFORNIA FARM BUREAU FEDERATION,
SACRAMENTO COUNTY FARM BUREAU,

Complainants,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

ORIGINAL

Case No. 2827

Edson Abel, for Complainants,

J. G. Marshall, for Defendant.

BY THE COMMISSION:

O P I N I O N

California Farm Bureau Federation and Sacramento County Farm Bureau herein join in complaint against The Pacific Telephone and Telegraph Company, and ask the Railroad Commission to require the transfer of certain territory from the Fair Oaks Exchange Area to Sacramento Exchange Area. Defendant made answer to the complaint.

A public hearing in this proceeding was held before Examiner Williams at Sacramento, on March 14, 1930, at which place and time the matter was taken under submission.

The section of territory which complainants desire transferred to the Sacramento Exchange is the eastern portion of certain tracts known as Carmichael Colony. The western section of Carmichael Colony is now, and has been for some years, included in the Sacramento Exchange Area. Exchange telephone service is now

regularly received in the western portion of the Colony from the Sacramento Exchange, and in the eastern portion from the Fair Oaks Exchange. At the present, there is also available, in the area proposed to be transferred, Sacramento exchange service on the Foreign Exchange Service plan.

There was presented at the hearing as "Exhibit No. 2," a copy of a letter from The Pacific Telephone and Telegraph Company to California Farm Bureau Federation, stating conditions which should be accepted by Carmichael residents if the Telephone Company was to be expected to make the requested relocation of exchange area boundaries. Mr. Marshall, attorney for the Telephone Company, stated that the boundaries of the Sacramento and Fair Oaks exchange areas, as now fixed, are the same as filed in accordance with the Commission's General Order No. 68, effective July 1, 1923, and that an expenditure of approximately Sixteen Thousand (\$16,000) Dollars would be required if the boundary be changed as requested. In Exhibit No. 2 the statement is made that, of the total expenditure, Three Thousand Five Hundred Fifty-nine (\$3,559) Dollars covers the cost of the construction necessary to serve subscribers in Carmichael Colony, in addition to which there would be a cut-over expense of One Hundred Thirty-five (\$135) Dollars and abandonment of plant value amounting to Four Hundred Ninety-six (\$496) Dollars. The Company's attorney stated a willingness to accept, as a justification for the expenditures necessary to make the change requested, the establishment of the good faith of fifty or more applicants for Sacramento service, who advanced Nine Hundred Ninety (\$990) Dollars.

According to the record in this proceeding less than one-half of the present subscribers to telephone service in the area proposed to be transferred signed the petition requesting the change in service. However, no one at the hearing made

objection to the proposed modification of exchange boundaries.

A comparison of the Sacramento and Fair Oaks rates was given in Exhibit No. 2 and shows that, with the exception of Ten-party Suburban rates, which are the same for each exchange, the Sacramento rates for comparable service are considerably higher than Fair Oaks rates. It was stated that Carmichael Colony is approximately ten miles from Sacramento and four miles from Fair Oaks. Mileage charges applicable to individual line, two-party and four-party service will, therefore, be considerably greater for Sacramento service in the Colony than for similar grades of service from the Fair Oaks Exchange. Under the service conditions proposed, it would be expected that the telephone development would be by means of ten-party lines almost entirely. Although there appear certain disadvantages with the change requested, the expressed desires of residents of Carmichael Colony, as found in the record of this proceeding, are all in favor of such change.

Under these circumstances, all that is necessary to dispose of this matter is an order directing the Telephone Company to file and make effective appropriate exchange area maps and rules and regulations covering the inclusion of all the present Carmichael Colony area in the Sacramento Exchange Area.

O R D E R

This case being at issue upon complaint of California Farm Bureau Federation and Sacramento County Farm Bureau and, answer filed by The Pacific Telephone and Telegraph Company, a

public hearing having been held, consideration having been given to the matters involved, and basing this order on the findings of fact and conclusions contained in the opinion preceding this order, and which is hereby made a part hereof,

IT IS HEREBY ORDERED that The Pacific Telephone and Telegraph Company shall:

(1) Include within the suburban area of its Sacramento Exchange, on or before October 1, 1930, all of the present Carmichael Colony not now included therein.

(2) Establish, for service in the present Carmichael Colony area, the rates, and rules and regulations in effect elsewhere in its Sacramento Exchange for similar service under similar conditions, effective on and after the effective date of the area change ordered in (1), above.

IT IS HEREBY FURTHER ORDERED that The Pacific Telephone and Telegraph Company shall submit for filing with the Railroad Commission, not later than ten (10) days immediately preceding the effective date of the area change ordered in (1), above, effective on the date of said change.

(A) A map of its Sacramento Exchange area modified to include therein all of the present Carmichael Colony area.

(B) A map of its Fair Oaks Exchange area modified to exclude the territory ordered included in its Sacramento Exchange area in (A), above.

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 31 day of March, 1930.

C. L. Sawyer

James A. Whelan
John D. Hurd

M. A. C.

Commissioners.