

ORIGINAL

Decision No. 22933.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

BELLFLOWER CHAMBER OF COMMERCE,

Complainant,

Vs.

Case No. 2379

SOUTHERN CALIFORNIA TELEPHONE
COMPANY and DOWNEY HOME TELEPHONE
AND TELEGRAPH COMPANY,

Defendants.

C. E. Clough, Guy E. Leonard and Fred C. Bigby,
for Bellflower Chamber of Commerce,
Complainant.

J. G. Marshall, for Southern California Tele-
phone Company, Defendant.

A. Wardman, for Downey Home Telephone and
Telegraph Company, Defendant.

Ernest Irwin, for California Independent
Telephone Association, Interested Party.

BY THE COMMISSION:

O P I N I O N

In this complaint, Bellflower Chamber of Commerce seeks to have a portion of the present common exchange boundary line between the Bellflower and Compton-Cardena-Eynes Exchange Areas, now along Clark Avenue, relocated at Cerritos Avenue and so that the certain area between a line Two Hundred (200) feet west of Clark and a line Two Hundred (200) feet west of Cerritos Avenues would be transferred from the Compton-Cardena-Eynes Exchange Area to the Bellflower Exchange Area.

Southern California Telephone Company and Downey Telephone and Telegraph Company filed answers to the complaint.

Public hearings upon the issues thus joined were held by Examiner Satterwhite at Bellflower on August 12, 1930, and September 12, 1930, when the matter was fully presented and submitted for decision.

The community of Bellflower is not incorporated and has no local government.

The territory which complainant requested transferred is about one-half mile in width, east and west, and about one and one-half miles in length and is directly between Hynes and Bellflower. The population of this area is said to be between 1200 and 1500. Testimony indicates that 287 families reside in the area and that twelve businesses have been established therein. As of August 4, 1930, there were seventeen subscribers in the area receiving service from the Hynes central office and eighteen receiving service from the Bellflower central office. Apparently all Hynes services in the designated area are charged for in accordance with the regular exchange rates applicable in the Compton-Gardena-Hynes Exchange area. Bellflower services in the same area are furnished in accordance with the Foreign Exchange Schedule. This Foreign Exchange service is practically the same as the regular Bellflower Exchange service except that the monthly rates of charge are higher. The effect of relocating this boundary as requested, will be to reduce the charges for Bellflower services in the area by the amounts which now are paid as mileage, and to increase the charges for Hynes services by the amounts of the foreign exchange mileage charges which may be applicable.

The evidence received would indicate that the interests of residents in this designated area are greater with the com-

munity of Bellflower than with Hynes. But little development exists west of Cerritos Avenue and near Hynes, while the development eastward towards Bellflower is considerable. It is probable that the total expense for telephone service of those residing and doing business in the area will be slightly increased if the change is authorized.

Complainant, since making its original complaint, has filed an amendment which, if granted, would result in locating the common boundary line in the center of Cerritos Avenue instead of Two Hundred (200) feet west of the center of the Avenue. Several persons who reside west of Cerritos Avenue were present at the hearings to make objection to locating the common boundary west of Cerritos Avenue but, inasmuch as the complainant amended its complaint, their testimony was not given.

Telephone exchange boundaries should not be disturbed unless good reason appears therefor. In the instant case it appears that the convenience of the public will be satisfied by the establishment of the disputed boundary line at the center of Cerritos Avenue. No particular hardship will result to the defendants. Furthermore, the record shows that Downey Home Telephone and Telegraph Company regarded Cerritos Avenue as the proper location for this dividing line.

Evidence shows that at present there are three services from the Hynes central office to locations east of the present Clark Avenue common boundary which are deviations from the filed rate schedules as to rate of charge and conditions of service. Complainant and defendants testified that if the boundary is relocated, these deviations should be removed. Accordingly, the order following will require that these services be discontinued, it being understood that the subscribers thereto may receive

service in regular manner under filed rates. Testimony in this complaint indicates that defendants are not strictly administering their rate schedules. It will be expected that the rules and regulations and requirements as to conditions of service of these defendants will be uniformly applied.

O R D E R

This case being at issue upon complaint and answers filed with the Commission, public hearings having been held, careful consideration having been given to the matters and things involved, and basing this order on the findings of fact and conclusions contained in the opinion preceding this order, and which is hereby referred to and made a part hereof,

IT IS HEREBY ORDERED that Downey Home Telephone and Telegraph Company shall include within the suburban area of its Bellflower Exchange on and after November 1, 1930, that certain area bounded and described as follows:

Beginning at a point on the present common boundary of the Hynes Central Office Area and the Bellflower Exchange Area at its intersection with the center line of Cerritos Avenue; thence in a southwesterly direction along the center line of Cerritos Avenue to its intersection with the center line of Washington Street; thence westward along the center line of Washington Street to its intersection with the center line of Cerritos Avenue; thence south along the center line of Cerritos Avenue to a point 200 feet south of the center line of Rose Avenue; thence eastward to a point on the present common boundary line 200 feet south of the center line of Rose Avenue; thence along the present common boundary line to the point of beginning.

IT IS HEREBY FURTHER ORDERED that Downey Home Telephone and Telegraph Company shall submit for filing with the Railroad

Commission or or before ^{October 25} October 25, 1930, a map of its territory revised to include therein the above described territory.

IT IS HEREBY FURTHER ORDERED that Downey Home Telephone and Telegraph Company shall make effective for service on and after ^{time} November 1, 1930, in the above described territory the rates, rules and regulations effective elsewhere in its Bellflower Exchange area for similar service under similar conditions.

IT IS HEREBY FURTHER ORDERED that Downey Home Telephone and Telegraph Company shall remove all deviations from rates, rules and regulations and conditions of service on and after ^{time} November 1, 1930, in the above described territory.

IT IS HEREBY FURTHER ORDERED that Southern California Telephone Company shall submit for filing with the Railroad Commission on or before ^{October 25} October 25, 1930, a revised map of its Hynes Central Office area which shall exclude the above described area.

IT IS HEREBY FURTHER ORDERED that Southern California Telephone Company shall discontinue all exchange service in the above described territory on or after ^{time} November 1, 1930, except as the same may be furnished under Foreign Exchange Schedules.

IT IS HEREBY FURTHER ORDERED that Southern California Telephone Company shall discontinue all deviation services in the Bellflower Exchange area on and after ^{time} November 1, 1930.

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 3rd day of October, 1930.

[Signature]
[Signature]
[Signature]

Commissioners.