

Division No. 10832  
 BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of the application of Western Union Telegraph Company, a corporation, for an order permitting said corporation to close its telegraph office at Sutter Creek, California, as of March 15, 1922.

Application No. 7600

A. H. May, for Applicant.  
 C. E. Richards, for Board of Trustees of Sutter Creek.

BY THE COMMISSION:

O P I N I O N

This is an application of Western Union Telegraph Company filed under the provisions of General Order No. 48 of the Railroad Commission, seeking the authorization of the Commission to close its telegraph office located in the town of Sutter Creek, California. A public hearing was held in Sutter Creek before Examiner Westover.

In its application, petitioner sets forth as its reasons for desiring to close its office in Sutter Creek that its receipts at this office for the year 1921 averaged \$70.28 per month while operating expenses averaged \$38.00 per month, exclusive of taxes at 5½% of gross receipts, maintenance of equipment, stationery, supervision and other incidental expenses; that the prospects for an increase in its business are poor, that its agent has given notice of his intention to resign and that petitioner is unable to secure another agent to take his place without increasing the present basis of compensation.

Petitioner testified at the hearing that it now maintains a telephone circuit between Sutter Creek and Jackson for the purpose of transmitting telegraph messages to and from the latter town and that it is its intention, if permitted to close the Sutter Creek office, to move the office to Jackson and thereafter handle its Sutter Creek business by telephone over this telephone line. It represents as its reason for desiring to make this change that Jackson is a center of extensive mining operations, making more extensive use of telegraph service than does Sutter Creek and that a saving in its operating expenses can be effected by making the proposed change. It represents also that the closing of this office and the subsequent handling of its business by telephone will not detrimentally affect the service and that no change in its present rates will result.

The closing of this office is opposed by the citizens of Sutter Creek on the alleged grounds that the service if handled by telephone through a distant office will not be as satisfactory as the present Morse operated service; that one of the large mines of this district which for a considerable time has been closed down is preparing to resume operation on an extensive scale and that its operation will increase the use of telegraph service if the Sutter Creek office is continued in operation as at present; that the town of Plymouth which now is dependent upon Sutter Creek for its Western Union service and which makes extensive use of the same would be deprived of the greater convenience now offered by the Sutter Creek service if the office were removed to Jackson and that the general business interests of Sutter creek would suffer if the present office were closed.

At the hearing, petitioner offered as its Exhibit No. 1, a statement of receipts and expenses for Sutter Creek, including its Plymouth business, for the period January, 1921, to March, 1922, inclusive, showing total net receipts of \$521.59. This figure includes

the total business handled by the Sutter Creek office, including interstate business, but it does not indicate that the office is operated at a loss. With reference to the resignation of petitioner's agent at Sutter Creek and to the necessity of increasing the present basis of compensation to secure another agent, it appears that the present agent will remain in the office if not removed. It appears also that the present office in Sutter Creek is open for business from 7:00 A.M. to 9:30 P.M. on week days, while the present hours of the Jackson office are from 8:00 A.M. to 6:00 P.M. Subsequent to the hearing petitioner submitted a further statement showing the amount of its Plymouth business handled by Sutter Creek and showing also the overhead charges apportioned to Sutter Creek, based on which it would appear that this office is being maintained at a loss. The Commission has previously declared that an individual office, as a unit of a comprehensive system which as a whole is profitable to the utility, should not be discontinued even though such unit, taken separately, may be unprofitable, if public interest requires its continuance. In this case we are not convinced that the office is maintained at a loss and it appears that public convenience and necessity require its continuance.

#### O R D E R

Western Union Telegraph Company having applied to the Railroad Commission for an order permitting it to close its telegraph office at Sutter Creek, a public hearing having been held and it appearing to the Commission, as set forth in the preceding Opinion, that the application

should be denied,

IT IS HEREBY ORDERED, that the application herein be  
and it is hereby denied.

Dated at San Francisco, California, this 10<sup>th</sup>  
day of August, 1922.

H. A. Landis  
Harry Martin  
Frank A. Jones  
J. J. McDonald

Commissioners.