

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of Rose L. Burcham, in her capacity as Sole Executrix of the last will and testament of Charles Austin Burcham, deceased, and of the Interstate Telegraph Company, a corporation, organized and existing under the laws of the State of Nevada, for an order authorizing the sale and transfer by the said Rose L. Burcham, in her capacity aforesaid, to the Interstate Telegraph Company, of a certain telephone exchange and telephone lines and equipment and property situate at Randsburg, Kern County, State of California.

ORIGINAL

Application No. 1083.

Decision No. 1557

Appearances

Mrs. Rose L. Burcham, in propria persona.

I. B. Potter and Newman Jones, Attorneys, and  
F. M. Hess, for Interstate Telegraph Company.

O P I N I O N

GORDON, Commissioner.

This is an application of Mrs. Rose L. Burcham, sole executrix of the last will and testament of Charles Austin Burcham, deceased, to sell and transfer, and of the Interstate Telegraph Company to purchase certain telephone lines and equipment in and adjacent to the unincorporated towns of Randsburg and Mojave in Kern County, and Atolia in San Bernardino County, California.

This telephone system, consisting of an exchange in the town of Randsburg, with lines and equipment extending to Mojave and Atolia and adjacent territory, and comprising a total of approximately 12-1/2 miles of #14 iron wire and 50-1/3 miles of #12 iron wire, together with poles, cross arms, switchboard, and 43 telephones, etc., has for a number of years and until his death in August, 1913, been owned and operated as a public utility by Charles Austin Burcham. Having been duly appointed by the

Superior Court of Los Angeles County, and having duly qualified as executrix of the estate of the deceased, the applicant, Mrs. Rose L. Burcham, has since his death conducted and operated this telephone system. The Interstate Telegraph Company, a public utility telephone-telegraph corporation, organized and existing under the laws of the State of Nevada, and authorized by law, as shown by this application, to acquire, possess and operate properties and transact business within the State of California, now owns and operates telephone lines and exchanges throughout certain portions of Inyo, Kern, San Bernardino and Riverside Counties in this State and in Esmeralda County, Nevada, which territory is contiguous to that being served by the lines of the applicant, Mrs. Burcham. According to this application and as shown by the testimony, the present owners are not prepared to continue the operation of this telephone system and to adequately meet the demands for extensions and betterments. The applicant, Interstate Telegraph Company, is engaged solely in the telephone-telegraph business and is in a position, financially and otherwise, more adequately and efficiently to serve the public. For these reasons and in the course of the administration of this estate, the applicant, Mrs. Burcham, desires to sell and transfer this telephone system and business to the Interstate Telegraph Company.

The Interstate Telegraph Company has inventoried and appraised the property, the original value of which is placed at \$5274.76. The plant has been in service for about eight years, and after deducting depreciation for these years, aggregating \$2320.89, the present value is placed at \$2953.87. An agreement for the sale and purchase for the sum of \$3000.00, subject to Commission approval, has accordingly been drawn up by both parties. The property and business is free from encumbrance and is in a prosperous condition. The Interstate Telegraph Company has agreed, if this application is approved

by the Commission, to take over and operate the system and to make necessary improvements and extensions. I am of the opinion that the public necessity and convenience will be subserved by the granting of the application, and an examination of the inventory by the Commission's expert indicates that for the purpose of this proceeding the valuation is reasonable. The applicant, Interstate Telegraph Company, was informed at the hearing, however, that the Commission will withhold its approval of this valuation for rate fixing purposes, and with this understanding and with the further understanding, which is agreed to by this applicant, that no changes whatever either in the present rates or in the present manner of serving this community will be made without a further order of this Commission, I am willing to recommend that the application be granted.

#### O R D E R

Application having been made to this Commission by Rose L. Burcham, sole executrix of the last will and testament of Charles Austin Burcham, deceased, to sell and transfer, and of the Interstate Telegraph Company, a Nevada public utility corporation, to purchase a certain telephone exchange and telephone lines and equipment and property situate at Randsburg, Kern County, and certain other telephone lines and accessory equip-ment extending therefrom to Mojave in Kern County and to Atolia in San Bernardino County and adjacent territory, all in the State of California, for the sum of \$3000.00, and a public hearing having been held thereon, and no reasonable objection thereto appearing;

And it appearing to this Commission that the public necessity and convenience will be subserved thereby,

IT IS HEREBY ORDERED, that the application of Rose L. Burcham, sole executrix of the last will and testament of Charles Austin Burcham, deceased, to sell and transfer, and of the Interstate Telegraph Company, a public utility corporation, organized

and existing under the laws of the State of Nevada and authorized by law to acquire, possess and operate properties and transact business within the State of California, to purchase a certain telephone exchange and telephone lines and equipment and property situate at Randsburg, Kern County, California, and certain other telephone lines and accessory equipment extending therefrom to Mojave in Kern County and to Atolia in San Bernardino County and adjacent territory, California, as more specifically set forth and described in that certain inventory accompanying and made a part of this application for the sum of \$3000.00, be and the same hereby is granted;

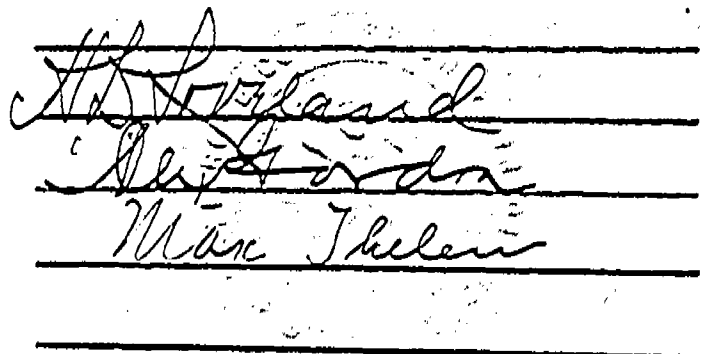
PROVIDED that the price agreed upon by the applicants herein for this sale and transfer is not to be taken by this Commission or other body as the value of the property herein authorized to be sold and transferred for rate fixing purposes;

AND PROVIDED FURTHER that no change in the rates at present charged the patrons of this system for telephone service, or in the present manner of serving this territory, shall be made without the further order of this Commission.

This order to be and become effective upon its approval by the Commission and upon the filing on the part of the Interstate Telegraph Company with the Commission of its schedule of rates applicable to this system.

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 2nd day of June, 1914.

  
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Commissioners.