

ORIGINAL

Decision No. 2558

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
The Western Union Telegraph Company,
a corporation, for permission to close
its office and discontinue telegraph
service at San Andreas, California.

Application No. 1674.

A. E. May, for The Western Union Telegraph Company.

Jas. T. Shaw, for The Pacific Telephone and Tele-
graph Company.

GORDON, Commissioner.

O P I N I O N

This application by The Western Union Telegraph Company for permission to close its office and discontinue telegraph service at San Andreas was filed with the Railroad Commission immediately following the filing of an application by Chas. P. Snyder, who owns and operates a telegraph line between Angels Camp and San Andreas, for permission to discontinue its operation. Heretofore telegrams forwarded from or addressed to Angels Camp have been transferred by The Western Union Company at San Andreas, and according to the present application these telegrams have constituted the greater part of the business handled by The Western Union Company at San Andreas. It is accordingly by reason of the contemplated withdrawal of the Angels Camp business that The Western Union Company is now seeking permission to close its San Andreas office upon the representation that the receipts from the balance of its San Andreas business are not sufficient to continue the office except at a considerable loss.

The line between Angels Camp and San Andreas, owned by Mr. Snyder, reaches only these two points and, according to the testimony which was offered at the hearing of the application for permission to discontinue its use, the gross amount of business

handled over it is not sufficient to meet operating expenses. Its continued operation would, therefore, result in loss to the owner. The Western Union Telegraph Company, however, owns and operates telegraph lines extending not only throughout California, but throughout the United States and extending also into foreign territory, and while it may be shown that the continued operation of its San Andreas office, if the business arising from the Angels Camp office were to be withdrawn, would result in a loss so far as that particular office is concerned, we cannot overlook the fact that San Andreas is but one of a vast number of offices which go to make up its business as a whole, and it is but a very small unit of its entire system which its obligations to the public demand that it shall maintain. It goes without saying that this Commission does not admit that each unit in a system of such magnitude as that embraced in this applicant's system should be made to be profitable in and of itself. To grant that each separate unit should be made to be profitable would be to admit the right of the applicant to come before the Commission for authority to close any other or all of its offices, no matter how necessary or important their operation may be to the public, if they could be shown to be unprofitable when considered separately. The possible effect of such action, if taken, cannot, of course, be ignored.

In this particular instance, it happens that The Pacific Telephone and Telegraph Company, which also handles telegraphic business, although it does not employ a telegraph operator at San Andreas has an office at this point, and if The Western Union Company were permitted to withdraw The Pacific Telephone and Telegraph Company will receive and forward telegrams by telephone. I do not wish to be understood to admit that any public utility engaged in the telegraph or telephone business in this State may at its pleasure shift its responsibilities to others who may happen to be so situated as to be able to assume and carry the responsibility, but in this case The Pacific Telephone and Telegraph

Company has not objected though given the opportunity to do so.

The hearing in this proceeding has also developed that, since Mr. Snyder desires to withdraw his telegraph service at Angels Camp, The Western Union Company in that event is willing to establish an office at Angels if it be permitted to withdraw from San Andreas. Ample public notice of the hearing of this application was given, but no one interested in Western Union service at San Andreas appeared to offer objection to the proposed withdrawal of the Western Union Company, and since such telegraphic business as may be offered after the discontinuance of the Western Union office at San Andreas may be handled by telephone over the lines of The Pacific Telephone and Telegraph Company, I am willing to recommend that this application be granted upon the condition that before it shall close its San Andreas office the applicant shall establish a telegraph office at Angels Camp with the understanding that, if after a sufficient time it should appear that its further continuance may not be warranted, the applicant may petition the Commission for permission to discontinue it.

The following order is recommended.

O R D E R

Application having been made by The Western Union Telegraph Company, a public utility corporation, for permission to close its office and to discontinue telegraph service at San Andreas, Calaveras County, California, and a public hearing having been duly held, and no objection other than as set forth in the preceding opinion appearing, and it appearing to this Commission, as further set forth in the preceding opinion, that such telegraphic business as may hereafter be offered at San Andreas may be transmitted by telephone over the lines of The Pacific Telephone and Telegraph Company,

IT IS HEREBY ORDERED that this application be and it is hereby granted.

PROVIDED that before the applicant, The Western Union Telegraph Company shall be permitted to close its office at San Andreas, it shall establish a telegraph office and maintain a telegraph operator at Angels Camp, Calaveras County, and shall publish, put into effect and file with this Commission on or before thirty days from the date of approval of this order its schedule of rates for Angels Camp which rates shall conform to the rates at present in effect at its other offices located in the same square in which Angels Camp is located.

AND PROVIDED FURTHER that this permission is not to be taken as approval of the rates hereinabove referred to since the Commission has not passed upon their reasonableness.

AND IT IS HEREBY FURTHER PROVIDED that this permission is not to be taken by this applicant or by any other public utility operating within this State as a precedent to be followed in other cases.

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

July, 1915.

H. S. Boardman
Edwin O. Edgerton
Edwin O. Edgerton

Commissioners.