

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Reedley Telephone Company,
Complainant,

Vs.

John W. Burke, J. E. Anderson,
C. E. Schroeder, Antone Hansen,
and J. W. Galle,

Defendants.

Case No. 836.

Decision No. 2771

A. Terkel, for Reedley Telephone Company.

E. A. M. Webb, for J. E. Anderson.

GORDON, Commissioner.

O P I N I O N

Reedley Telephone Company, the complainant in this case, operates a telephone exchange in the City of Reedley, Fresno County, from which it supplies its patrons within the city and certain surrounding territory. Its schedule of rates on file with the Railroad Commission provides certain rates for so-called exchange service for patrons located within the city limits, and suburban and farmer line rates for patrons located outside of the city limits. The defendants in the case are joint owners of a farmer line which they or their predecessors constructed a number of years ago from their respective premises outside the city limits, and which is connected with the complainant's exchange. One of the defendants, J. E. Anderson, owns property which is located within the city limits on which a telephone connected to this farmer line was formerly located. During a number of changes in tenancy of this property, this telephone has been out of service and the present tenant, John W. Burke, desiring telephone service was denied farmer line service over this line by the complainant due to the premises being located within the city limits where exchange rates are applicable.

The complainant now alleges that, regardless of the refusal to allow farmer line service and notwithstanding complainant's willingness to install exchange service at the rate provided by the schedule, the defendant, J. E. Anderson, has refused to allow the latter and that a telephone has been connected with this farmer line at this location. Complainant, therefore, prays that unless this telephone be removed it be permitted by the Commission to disconnect the entire line from its switchboard.

At the hearing in this complaint, it was agreed between the interested parties that the remaining owners of the line should purchase Mr. Anderson's interest in the line and that the Reedley Telephone Company should purchase the telephone, that the line and telephone should be removed from the premises, and that the Reedley Telephone Company should be permitted to install its own line and telephone. Mr. Anderson's interest has accordingly been bought and paid for, and the complainant now formally requests dismissal of the complaint.

The following order is submitted.

O R D E R

The matters involved in the above entitled proceeding having been adjusted satisfactorily to the complainant and the defendants, and the complainant having thereupon asked that the proceeding be dismissed, and the Commission being fully apprised in the matter,-

IT IS HEREBY ORDERED that the complaint herein

be and it is hereby dismissed without prejudice.

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 20th day of September, 1915.

Max Thelen
H. B. Loveland
Chas. E. Gordon
Edwin O. Edgerton
Franz R. Dehn

Commissioners.