

Decision No. _____

ORIGINAL

Decision No.

3680

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 Roseville Telephone Company for an)
 order extending time for compliance) Application No. 2305
 with Chapter 499, Laws of 1911, as)
 amended by Chapter 600, Laws of 1915.)

W. Hanisch for Roseville Telephone Company.
 J. Morgenthauer and William Rhys for
 Electric Workers.

THELEN and DEVLIN, Commissioners.

O P I N I O N

This is a petition for an order extending the time for compliance with the provisions of Chapter 499, Laws of 1911, as amended by Chapter 600, Laws of 1915, referring to the construction, reconstruction, maintenance and use of electric poles, wires, cables and appliances.

A public hearing in this proceeding was held in San Francisco on July 14, 1916.

For a statement of the law governing proceedings of this character and of the principles guiding the Railroad Commission in its decision herein, reference is hereby made to the decision this day rendered in Application No. 2222, Los Angeles Gas and Electric Corporation et al.

Petitioner owns and operates a telephone system in the City of Roseville, Placer County, and in the territory within a radius of three miles thereof.

Mr. W. Hanisch, petitioner's Manager, testified that approximately 50 per cent of petitioner's system complies with the statute. The principal violations of the statute are with reference to horizontal and vertical clearances. The record shows no special effort made by petitioner to comply with the statute.

Mr. Hanisch testified that it would take approximately \$1,000.00 to remove all violations of the statute. He stated that his company is a small one and that its financial condition is not good.

Petitioner's annual report for the year ending December 31, 1915, shows a net income for the year of \$2,263.41. A dividend amounting to \$1,247.19 was declared and \$1,691.78 was expended for construction, equipment and betterments. The report shows an accrued deficit as of December 31, 1915, amounting to \$403.11.

Petitioner asks an extension of five years, which time we believe to be unreasonably long. After careful consideration of all the factors entering into the problem, we have reached the conclusion that an extension of time until June 30, 1918 should be granted to petitioner on the conditions specified in the order herein.

Petitioner is a small company and is uncertain as to exactly what it must do to comply with the statute. The Commission will send an inspector to assist petitioner in reaching a conclusion as to the work which must be done.

We submit the following form of order:

O R D E R

Roseville Telephone Company having applied for an order extending the time within which to comply with the provisions of Chapter 499, Laws of 1911, as amended by Chapter 600, Laws of 1915, and a public hearing having been held,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The time within which petitioner herein shall reconstruct its existing system so as to comply completely with the provisions of Chapter 499, Laws of 1911, as amended by Chapter 600, Laws of 1915, is hereby extended to and including June 30, 1918, on condition that at least one-half of the reconstruction work necessary to be done shall be completed on or before June 30, 1917, and the entire work on or before June 30, 1918.

2. At the times herein directed, petitioner shall file with the Railroad Commission, on forms to be supplied by the Railroad Commission, progress reports showing, in such detail as will be prescribed by the Railroad Commission, the extent to which the necessary reconstruction work has been performed during the period covered by the report and also the extent to which reconstruction work remains to be done, in order that the property will comply with the provisions of Chapter 499, Laws of 1911, as amended by Chapter 600, Laws of 1915. The first report shall cover the period ending December 31, 1916, and shall be filed with the Railroad Commission within fifteen days subsequent thereto. The succeeding

reports shall cover the succeeding six months' periods, respectively, and shall be filed on or before the expiration of fifteen days after the termination of each succeeding period of six months.

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 26th day of September, 1916.

Max Thelem
H. Bouvard
Edwin C. Edgerton
Frank R. Gerber

Commissioners