

ORIGINAL

Decision No. \_\_\_\_\_

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Decision No.

3695

In the matter of the application of  
Santa Monica Bay Home Telephone Com-  
pany for an order extending time for  
compliance with Chapter 499, Laws of  
1911, as amended by Chapter 600, Laws  
of 1915.

Application No. 2403

L. W. Smeltzer for Santa Monica Bay  
Home Telephone Company.  
J. Morgenthauer, H. G. Greene and  
C. W. McAlpin 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  
Los Angeles on July 19, 1916.

For a statement of the law governing proceedings  
of this character and of the principles guiding the Railroad  
Commission in its decision therein, 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 cities of Venice, Santa Monica and Sawtelle, in Los  
Angeles County.

Mr. L. W. Smeltzer, petitioner's Engineer, testi-  
fied that at the present time about 80 per cent of petition-

er's system does not comply with the statute. No special efforts have been made to comply with the statute. The principal violations at the present time are in connection with horizontal clearances and the insulation of guy wires. In one case in Ocean Park, telephone wires are located over the power wires, which condition should be immediately corrected.

Mr. Smeltzer testified that, finances permitting, the violations could be entirely removed with a small gang of men in eighteen months. He testified that the total expenditure necessary to remove all the violations of the statute will be between \$4,000.00 and \$5,000.00.

Petitioner's annual report for the year ending December 31, 1915 shows a credit balance of \$15,770.04 and total ~~xxxx~~ working liabilities amounting to \$16,939.57.

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.

We submit the following form of order:

#### O R D E R

Santa Monica Bay 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 <sup>reconstruction</sup> 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 such ~~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 Thelen  
H. H. Lowland

Edwin O. Edgerton  
Frank R. Doherty

Commissioners