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

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of )  
Pomona Valley Telephone and Tele- )  
graph Union for an order extending ) Application No. 2409  
time for compliance with Chapter )  
499, Laws of 1911, as amended by )  
Chapter 600, Laws of 1915. )

D. S. Parker for Pomona Valley Telephone  
and Telegraph Union.  
J. Morgenthauer, H. G. Greene and C. W.  
McAlpin for Electric Workers.

THOMSEN 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.

Decision No. 3697

Petitioner owns and operates a telephone system in and about Pomona, Los Angeles County.

Mr. D. S. Parker, petitioner's Manager, testified that on the effective date of Chapter 499, Laws of 1911, approximately 20 per cent of petitioner's system complied with the statute. He testified that at the present time approximately 40 per cent of the system does not comply with the statute, and that the violations are principally with reference to horizontal clearances, strain insulators in the guy wires and cable construction. Vertical clearances in general comply with the statute.

Mr. Parker estimated that it would cost between \$5,000.00 and \$10,000.00 to remove all the violations of the statute, if the work were done by petitioner's regular crew, working ~~without~~ without any special effort to comply with the statute. Petitioner asks an extension of five years. Mr. Parker testified that if an additional crew of men were employed and worked diligently, the violations could be eliminated in between one<sup>year</sup> and one and one-half years.

Petitioner has prepared no detailed estimate of the work necessary to be done or of the expenditure to be incurred in connection therewith. Petitioner was directed to prepare such report and will be expected to file it within a reasonable time. The Railroad Commission will send an inspector to advise petitioner with reference to this work.

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

Pomona Valley Telephone and Telegraph Union 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 re-

port 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 26<sup>th</sup> day of September, 1916.

Max Thelen

H. H. Loveland

Edwin C. Edgerton

Frank R. Derby

Commissioners