

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of SAN DIEGO RAILWAY COMPANY for)
an order extending time for com-) Application No. 2434.
pliance with Chapter 499, Laws of)
1911, as amended by Chapter 600,)
Laws of 1915.)

E. J. Burns for San Diego Electric
Railway Company.
J. Morgenthauer, H. G. Greene and C. W. McAlpin
for Electrical Workers.

TERLEN and DEVLIN, Commissioners.

OPINION.

This is a petition for an extension of time within which to comply 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 decisions 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 an electric street railroad in the City of San Diego and vicinity.

Mr. H. McNutt, petitioner's superintendent of motive power, testified that about 60 per cent of petitioner's system violates the statute, principally with reference to vertical and horizontal clearances, and that it will cost about \$6,800.00 to reconstruct the system so as to remove all violations of the statute, but that if reconstruction is unnecessary in connection

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with petitioner's direct current feeders, the necessary expenditure will not be in excess of \$2,000.00.

After careful consideration, we find that the statute does not require the work on direct current feeders to which reference was made by Mr. McNutt.

Petitioner stated that if this work were not necessary, an extension of time of one year would be sufficient.

After careful consideration of all the factors entering into the problem, we have reached the conclusion that an extension of time until June 30, 1917, 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.

SAN DIEGO RAILWAY 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, 1917, on condition that at least one-half of the reconstruction work necessary to be done shall be completed on or before December 31, 1916, and the entire work on or before June 30, 1917.

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 15 days subsequent thereto. The next report shall cover the succeeding six month period and shall be filed on or before the expiration of 15 days after the termination of such six-month period.

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. D. Howard
Edwin O. Edgerton
Frank R. Derby
Commissioners.