

# OPINION

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 3707

|                                    |                       |
|------------------------------------|-----------------------|
| In the Matter of the Application ) |                       |
| of SAN DIEGO AND SOUTH EASTERN )   |                       |
| RAILWAY COMPANY for an order )     |                       |
| extending time for compliance )    | Application No. 2435. |
| with Chapter 499, Laws of 1911, )  |                       |
| as amended by Chapter 600, Laws )  |                       |
| of 1915. )                         |                       |

E. J. Burns for San Diego and South Eastern  
Railway Company.  
J. Morgenthaler, H. G. Greene and C. W. McAlpin  
for Electrical Workers.

THELEN 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 operates a line of interurban electric railway in San Diego County.

Mr. E. McNutt, petitioner's superintendent of motive power, testified that the only respects in which the statute is violated are that in a number of instances insulators must be placed in the spans and vertical clearances must be changed. He testified that the entire cost of the reconstruction would be

approximately \$600.00.

Petitioner asks an extension of one year.

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 AND SOUTH EASTERN 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 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 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. B. Leonard  
Edwin C. Edgerton  
Frank R. Berlin

Commissioners.