

# ORIGINAL

Decision No. 3131

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application )  
of MONROVIA TELEPHONE AND TELEGRAPH )  
COMPANY for an order extending time )  
for compliance with the provisions ) Application No. 2444.  
of Chapter 499, Laws of 1911, as )  
amended by Chapter 600, Laws of )  
1915. ))

REELIN 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.

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 rendered on September 26, 1916, in Application No. 2222, Los Angeles Gas and Electric Corporation, et al.

Petitioner owns and operates a telephone system in and adjacent to the City of Monrovia, Los Angeles County.

The petition herein states that all new construction and reconstruction work subsequent to April 22, 1911, has complied with the provisions of the statute.

A letter from petitioner dated September 18, 1916, on file herein, states that on April 22, 1911, between 40 and 50 per cent of petitioner's system complied with Chapter 499, Laws of 1911; that all hazardous conditions were at once removed subsequent to April 22, 1911; that approximately 25 per cent of the wire clearances in the City of Monrovia have been reconstructed; but that nothing has been done to insulate the upper

end of the guy wires or messengers; that at the present time approximately 25 per cent of the wire clearances in Monrovia do not conform with the provisions of the statute and that approximately 75 per cent of the guy wires and messengers in the City of Monrovia fail to comply with the statute; and that it will cost approximately \$750.00 to remove the remaining violations of the statute, the greater portion of which sum will be expended for labor.

Petitioner states that the remaining work could be completed in approximately six months and that if petitioner had the necessary funds on hand and a special effort were made, the work could be completed in approximately two months, in which event, however, the cost of the work would be in excess of the cost to be incurred if a more liberal extension of time were granted.

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.

MONROVIA TELEPHONE AND TELEGRAPH COMPANY having applied for an order extending the time time within which to comply with the provisions of Chapter 499, Laws of 1911, as amended by Chapter 600, Laws of 1915, and the Commission being fully advised in the premises,

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 con-

dition that at least one-half of the reconstruction work necessary to be done shall be completed on or before December 31, 1916, and the remaining 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 succeeding report shall cover the succeeding period of six months and shall be filed on or before the expiration of 15 days after the termination of said 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 30<sup>th</sup> day of September, 1916.

Max Thelen

W. G. Gordon

Frank R. DeWitt

Commissioners.