

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 3732

In the Matter of the application
of SAN FERNANDO TELEPHONE AND
TELEGRAPH COMPANY for an order
extending time for compliance
with Chapter 499, Laws of 1911,
as amended by Chapter 600, Laws
of 1915.

Application No. 2445.

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.

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 transacts a general telephone business in the City of San Fernando and in a portion of the City of Los Angeles and adjacent territory.

A letter from petitioner dated September 18, 1916, on file herein, states that petitioner acquired its telephone system from Consolidated Securities Company on or about August 1, 1914, and that from the condition of the system at that time, petitioner concludes that on April 22, 1911, the system violated the provisions of Chapter 499, Laws of 1911, with reference to clearances and the insulation of guy wires and messengers; that no steps were taken by the former owners of the telephone system to remove the

violations of the statute, but that subsequent to the acquisition of the property by petitioner, practically the entire system within the City of San Fernando, comprising approximately 75 per cent of the entire system, was entirely rebuilt and that in all reconstruction, the provisions of the statute have been fully complied with; that the annexation on May 22nd to the City of Los Angeles of unincorporated territory served by petitioner resulted in bringing those portions of petitioner's system located in the territory thus annexed in violation of the statute; that at the present time approximately 25 per cent of the wire clearances and guy wires and messengers in the City of San Fernando and all the wire clearances, guy wires and messengers of petitioner's system in the City of Los Angeles violate the statute; that it will cost approximately \$2000.00 to remove the existing violations of the statute; and that the remaining violations of the statute could be removed in six months under forced conditions, but that under the circumstances of the case, petitioner believes that an extension of two years will be reasonable.

After a careful consideration of all the factors entering into the problem, we have reached the conclusion that an extension until June 30, 1918, will be reasonable, subject to the conditions specified in the order herein.

We submit the following form of order:

O R D E R

SAN FERNANDO TELEPHONE AND TELEGRAPH 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 800, 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, 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 report shall cover the period ending December 31, 1916, and shall be filed with the Railroad Commission within 15 days subsequent thereto.

The succeeding reports shall cover the succeeding six months' periods, and shall be filed on or before the expiration of 15 days ^{each} after the termination of 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 30th day of September, 1916.

Max Sherin

Alex G. Gordon

Francis R. Perkins
Commissioners.