

Decision No.       

ORIGINAL

Decision No. 3734

BEFORE THE RAILROAD COMMISSION  
OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of )  
the CITY OF ANAHEIM for an order ex- )  
tending time for compliance with the ) Application No. 2456.  
provisions of Chapter 499, Laws of )  
1911, as amended by Chapter 600, Laws )  
of 1915. )

THELEN and DEVLIN, Commissioners.

O P I N I O N .

This is a petition for an order extending 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.

City of Anaheim owns and operates an electric system which supplies light and power to the inhabitants of the City of Anaheim.

A letter dated September 12, 1916, from petitioner, on file herein, states that on April 22, 1911, petitioner's electric system to a considerable extent did not comply with the provisions of Chapter 499, Laws of 1911; that 709 of petitioner's electric light poles have been reconstructed as to horizontal clearances and that the remaining 258 poles

do not as yet comply with the statute in this respect; that of said 709 poles, the work on 323 was done solely for the purpose of complying with the provisions of the statute; that in 30 out of 50 instances in which foreign electric wires were located within 13 inches from the center of petitioner's poles, the violations of the statute have been removed for the sole purpose of complying with the statute; that in 344 instances petitioner's pole construction violates the vertical clearance provisions of the statute and that the violations with reference to 275 of petitioner's poles in this respect have been removed for the sole purpose of complying with the statute; that the cross-arms on 821 of petitioner's poles have been painted yellow for the sole purpose of complying with the statute and that the cross-arms on 175 of petitioner's poles have not as yet been thus painted; that the guy wires on 160 out of a total of 203 of petitioner's poles equipped with guy wires have been insulated for the sole purpose of complying with the provisions of the statute; that out of 10 wires attached vertically to petitioner's poles, three have been insulated for the sole purpose of complying with the statute; that the estimated cost of removing the existing violations of the statute is \$3500.00; and that petitioner asks an extension of two years within which to complete said work.

After careful consideration of all the factors entering into the problem we have arrived at the conclusion that an extension of time to 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.

CITY OF ANAHEIM 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 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 after the termination

each  
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 30<sup>th</sup>  
day of September, 1916.

Max Thelen

Alvin Gordon

Frazer R. Verbu

Commissioners.