

Decision No. _____

ORIGINAL

Decision No. 3723

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of)	
VISALIA ELECTRIC RAILROAD COMPANY)	
for an order extending time for com-)	Application No. 2476.
pliance with the provisions of Chapter)	
499, Laws of 1911, as amended by)	
Chapter 600, Laws of 1915.)	

Power and McFadzean for Visalia Electric
Railroad Company.
Wm. Rhys for Electrical Workers.

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.

A public hearing in this proceeding was held in San Francisco on September 22, 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 rendered on September 26, 1916, in Application No. 2222, Los Angeles Gas and Electric Corporation, et al.

Petitioner owns and operates an electric railroad in Visalia and other portions of Tulare County.

Mr. F. E. Geibel, appearing in behalf of petitioner, testified that petitioner's system violates the statute in two respects. Petitioner's feeder line runs on a cross-arm and

does not have the necessary horizontal clearance, and 16 miles of petitioner's telephone line likewise fails to conform with the horizontal clearance provisions of the statute. He testified that in all new construction and reconstruction subsequent to April 22, 1911, the provisions of the statute have been complied with.

Mr. Geibel testified that most of the poles must be replaced within two years in any event, and also that petitioner is considering the possibility of operating its line of railroad by some motive power other than electric energy.

Mr. Geibel testified that it will cost approximately \$2500.00 to remove the remaining violations of the statute.

Petitioner asks for an extension of two years within which to remove the violations of the statute.

After careful consideration of all the factors entering into the problem we have arrived at the conclusion that 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:

ORDER.

VISALIA ELECTRIC RAILROAD 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 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 of ^{each} 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 Healey

Alex Gordon

Francis R. Dehn

Commissioners.