

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 3737

In the matter of the Application)
of SAN DIEGO HOME TELEPHONE COM-)
PANY for an order extending time)
for compliance with the provisions)
of Chapter 499, Laws of 1911, as)
amended by Chapter 600, Laws of)
1915.)

Application No. 2495.

THELLEN 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 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 Diego and vicinity.

A letter from petitioner dated August 25, 1916, on file herein, states that on April 22, 1911, petitioner's cross-arms supporting open wire did not give the necessary 13-inch clearance from pole pins to the center of the pole, the guy wires did not have the requisite number of strain insulators, the cables where only one or two were supported on a line of poles were fastened directly to the pole instead of by cross-arms and the crossing clearances with the wires of electric companies were to a considerable extent not in accordance with the statute; that subsequent to April 22, 1911, petitioner has changed nearly

one-third of its construction so as to conform with the statute; that all new construction has complied with the statute. that the remaining violations of the statute consist of 8000 10-pin cross-arms, 80 wire crossings, 20 miles of cable and 380 guys to be insulated; and that in order to remove the remaining violations of the statute petitioner will be obliged to expend \$15,200.00 in changing horizontal clearances, \$400.00 in the matter of vertical clearances, \$1075.00 for cable changes and \$760.00 for the insulation of guy wires.

Petitioner asks an extension of time of two and one-half years from April 1, 1916, in which to complete the work and refers to its unfavorable financial condition in connection with this request.

After a careful consideration of all the factors entering into the problem, we have reached the conclusion that an extension until December 31, 1918, will be reasonable, subject to the conditions contained in the order herein.

We submit the following form of order:

O R D E R.

SAN DIEGO HOME TELEPHONE 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 Railroad 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 December 31, 1918, on condition that at least one-third of the reconstruction work necessary to be done shall be completed on or before June 30, 1917, two-thirds on or before June 30, 1918, and the entire work on or before

December 31, 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 Thelen

Alex Gordon

Franck R. DeWitt
Commissioners.