

ORIGINAL

Decision No. 3828

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

R. E. HEWES, et al.,

Complainants,

vs.

Case No. 1000.

HOME TELEPHONE AND TELEGRAPH  
COMPANY and THE PACIFIC TELE-  
PHONE AND TELEGRAPH COMPANY,

Defendants.

HEELER and GORDON, Commissioners.

O P I N I O N.

Complainants charge that the defendant telephone companies discriminate against them by charging higher local exchange telephone rates to complainants than they charge to the residents of other sections of the City of Los Angeles. Complainants reside in territory which was annexed to the City of Los Angeles on May 22, 1915.

Section 6 of Ordinance No. 32515, New Series, of the City of Los Angeles, established local exchange telephone rates to be charged by defendants in the City of Los Angeles during the year ending June 30, 1916, and specifically provided that the telephone rates in the recently annexed portions of the City of Los Angeles should be retained in effect. These rates, in so far as they differ from the rates charged in other portions of the City of Los Angeles are, as a matter of fact, lower than the other rates so charged. In view of this situation, it is difficult to understand the basis of the complaint herein.

On October 12, 1916, Mr. R. E. Hewes, the chief complainant herein, wrote to the Railroad Commission asking that the complaint be dismissed in so far as defendant The Pacific Telephone and Telegraph Company is concerned.

On October 17, 1916, when this case was called for hearing in Los Angeles, no person appeared in behalf of complainants. There was filed with the Railroad Commission a letter from Mr. Hewes stating that stress of business would prevent his attendance.

Under these circumstances, we recommend that the complaint be dismissed, without prejudice.

We submit the following form of order:

O R D E R.

The above entitled proceeding having been called for hearing on complaint and answers, due notice having been given and no person appearing in behalf of complainants,

IT IS HEREBY ORDERED that this proceeding be and the same is hereby dismissed, without prejudice.

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 October, 1916.

Max Thelen  
H. S. Howard  
Chas. Gordon  
Edwin O. Edgerston  
Frank R. Kolve

Commissioners.