ision No. 1973

Decision No.44973_

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY,

a corporation, for an order of the Railroad Commission of the State of California granting it a certificate that public convenience and necessity require the exercise by it of the rights and privileges conferred upon it under the franchise granted it by the CITY OF FULLERTON by Ordinance No. 122, on October 14, 1912.

Application No. 3131.

BY THE COMMISSION:

ORDER

applied to this Commission for a certificate declaring that public convenience and necessity require the exercise by it of the franchise privileges conferred by Ordinance No. 122 of the City of Fullerton, attached to the application herein and marked "Exhibit B," which ordinance grants to said company, its successors and assigns, the right to place, erect and maintain poles, wires and other appliances and conductors, and to lay undergound conduits for wires for the transmission of electricity for telephone and telegraph purposes, in, upon and under the streets, alleys, avenues, thoroughfares and public highways, in the City of Fullerton, State of California,

and to exercise the privilege of operating telephone and telegraph instruments and of doing a telephone and telegraph business within said City of Fullerton; and a public hearing having been held in said matter and the Commission being of the opinion that said application should be granted,--

IT IS HEREBY ORDERED that said application be, and the same is hereby granted: provided, that neither said applicant, its successors nor assigns, shall ever claim before this Commission, or any other public body, a value for said franchise for rate fixing or other purposes in excess of the amount actually paid to the City of Fullerton as the consideration for the grant of such franchise, which amount appears from the application to be \$500.00.

Dated at San Francisco, California, this 17th day of Alceuba, 1917.

2.