

Decision No. 5649

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Colorado River Telephone Company,
a corporation,

Complainant,

vs.

California Southern Railroad Com-
pany, a corporation, and

Western Union Telegraph Company,
a corporation,

Defendants.

ORIGINAL

Case No. 1005.

BY THE COMMISSION.

OPINION ON PETITION FOR REHEARING

The petition of California Southern Railroad Company for rehearing questions Decision No. 4606, made on August 30, 1917, in so far only as the decision refers to the transmission of telegraphic messages by telephone.

Petitioner urges that a contract which it proposed to enter into with Western Union Telegraph Company for conducting a telegraph business was authorized and approved by the Railroad Commission, that it would be unwarranted and unjust for the Railroad Commission to now withdraw its consent and approval, that the decision of the Commission to the effect that petitioner is doing a telephone business and rendering a telephone service to a part of the public is unsupported by the evidence and contrary to law, and that the order to discontinue the use of petitioner's line for the transmission of telegraphic messages by telephone is unlawful and erroneous. Reference is hereby made to said Decision No. 4606 and the reasons therein

contained are reaffirmed as the Commission's basis for ordering defendant to discontinue the use of its line for the transmission of telegraphic messages by telephone.

We are of the opinion that no good reason appears for granting a rehearing and that the petition for rehearing should be denied.

ORDER

California Southern Railroad Company, a defendant in the above entitled proceeding, having filed herein a petition for rehearing, and careful consideration having been given to the same, and no good reason appearing why a rehearing should be held,

IT IS HEREBY ORDERED that said petition for rehearing be and the same is hereby denied.

Dated at San Francisco, California, this 3d day of August, 1918.

Edwin C. Egan
H. B. Howard
Wm. Gordon
Frank Decker

Commissioners.