

ORIGINAL

Decision No. _____

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA

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Decision No. 5111

In the Matter of the Application of
LOS ANGELES GAS AND ELECTRIC COMPANY
for an Order extending Time for Com-
pliance with Chapter 499, Laws of
1911, as amended by Chapter No. 600,
Laws of 1915, beyond that previously
stipulated in Commission's Decision No.
3675.

APPLICATION

NO. 2222

Paul Overton for Applicant.
J. Morganthaler for Electrical
Workers.

BY THE COMMISSION:

O P I N I O N

This is a petition for a supplemental order ex-
tending the time for compliance with the provisions of
Chapter No. 499, Laws of 1911, as amended by Chapter No.
600, Laws of 1915, referring to the placing, erection,
use and maintenance of electric poles, wires, cables and
appliances.

For a statement of the law governing proceedings
of this character and the principles which guided the Rail-

road Commission in its previous decision in this matter, reference is hereby made to Decision No. 3675 in this application, dated September 26, 1916, (Opinions and Orders of the Railroad Commission of the State of California, Vol. 11, P. 291), in which decision the Commission reviewed the matter of jurisdiction and the request for an extension of time by applicant in which to reconstruct its lines.

This decision directed that applicant's overhead electric system should comply in all respects with the provisions of the law above referred to on or before June 30th, 1919. Applicant now contends that, owing to the abnormal conditions brought about by reason of the war, particularly referring to the increased costs and scarcity of labor and material, the completion of required reconstruction within the time previously specified will place upon it a burden which will be difficult of accomplishment, and which, in the light of the present emergency, appears unjust and unreasonable.

Applicant contends that it has removed a large portion of the hazardous conditions and that no serious hazard would result from the continuance of certain of the infractions until removed by normal maintenance and replacements. Testimony of applicant shows material increase in cost of supplies and labor required for this work, and also difficulty in obtaining the necessary labor. Evidence of applicant is also to the effect that a large part of the reconstruction required under the law would be done within the next three to five years under normal conditions of maintenance and replacement due to

the fact that most of the infractions are on pole lines from 10 to 14 years old, as whenever repair or reconstruction work is done on any pole the entire construction on the pole is made to comply with the law.

Applicant contends as a further difficulty in its ability to comply with the law the fact that a large portion of the remaining violations exist on poles used jointly with other utilities. This fact obviously requires, for economical performance, that all the utilities involved must do their reconstruction jointly. This difficulty should be obviated by properly directed co-operation among the various utilities.

Semi-annual progress reports have been filed regularly by applicant since the decision was issued, in accordance with specifications therein. These reports, together with evidence submitted at the hearing in this matter disclosed the fact that applicant maintained a schedule of reconstruction up to January 1st, 1918, which fully complied with the specifications of the order and if continued would have brought the company's system into complete compliance with the law by June 30th, 1919, the time fixed in the decision.

A public hearing in this supplemental application was held in Los Angeles on June 28th, 1918 before Examiner Excell, at which time evidence was introduced and the matter submitted, with the understanding that certain additional information would be filed by applicant as requested. This evidence has been filed and the matter is now ready for decision.

Representatives of the Electrical Workers opposed the granting of further extension of time beyond

june 30th, 1919 urging that the utilities could obtain the necessary employes to do the work, and that the safety to the linemen required that the work be completed.

It appears from evidence that a considerable number of infractions are of a technical nature and their removal would not greatly increase general safety. In fact evidence of the applicant is, in general, to the effect that certain features of the required reconstruction might be properly postponed in view of the present urgent demand for conservation.

We are of the opinion that applicant should remove all existing hazardous conditions within as short a time as possible and we believe that the use of material and labor for such work could not be considered other than essential. There appears little question but that the utility could obtain the necessary employes to complete this part of the reconstruction. Inasmuch as applicant faithfully complied with the Commission's previous orders up to the time it found it imperative to apply for additional time, we believe, in view of the present war emergency, that except for the cases wherein special hazard exists either to employes or the general public, an extension of time should be granted to the applicant within which to completely comply with the law. This will conserve material and supplies which unquestionably will be required to meet future demands directly or indirectly essential to the winning of the war.

Counsel for applicant has stated that it would gladly undertake immediately any reconstruction which, in

the opinion of the Commission, appeared to be hazardous.

It is practically impossible in an order to define specifically what types of infractions are thusly involved and the evidence presented is not of sufficient detail to specify what poles or lines should be reconstructed.

In order to bring about a definite understanding as to just what work may be postponed and what shall be carried on to immediate completion, it appears that the most satisfactory procedure would be for the Commission's Gas and Electric Division, which has charge of the inspection of the lines for the Commission, to be instructed to inspect lines of applicant and to indicate to applicant's representatives the specific work that should be undertaken, and that this Division, under the Commission's authority, shall outline a schedule which the applicant shall follow in the prosecution of the work.

O R D E R

Los Angeles Gas and Electric Corporation having applied to this Commission for an order extending the time within which to comply with the provisions of Chapter 499, Statutes of 1911, as amended by Chapter 600, Statutes of 1915 of the State of California, public hearing having been held and the matter submitted,

IT IS HEREBY ORDERED that the reconstruction of applicant's overhead electric system to comply with the

provisions of the above referred to laws, shall be prosecuted in such manner as will be indicated from time to time by this Commission and so that all hazardous conditions hereafter designated by this Commission shall be removed by June 30, 1919.

IT IS HEREBY FURTHER ORDERED that Los Angeles Gas and Electric Company shall file semi-annual statements as provided for in the previous application of this company, the Commission's Decision No. 3675.

Dated at San Francisco, California,
this 18th day of September, 1918.

Edwin O. Edgerton
W. B. ...
...
Frank R. ...
Commissioners.