

ORIGINAL

Decision No. _____

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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Decision No. 5148

In the Matter of the Application of)	
PACIFIC ELECTRIC RAILWAY COMPANY for)	
an order extending time for compli-)	
ance with Chapter 499, Laws of 1911,)	Application No. 2209.
as amended by Chapter 600, Laws of)	
1915, beyond that previously stipu-)	
lated in the Commission's Decision)	
No. 3670.)	

Frank Kerr for Pacific Electric Railway Company.
J. Morgenthaler for Electrical Workers.

BY THE COMMISSION.

O P I N I O N .

This is a petition by the Pacific Electric Rail-
way Company for a supplemental order of the Railroad Com-
mission extending the time for compliance with the provisions
of Chapter 499, Laws of 1911, as amended by Chapter 600, Laws
of 1915, relating to the placing, erection, use and main-
tenance of electric poles, wires, cables and appliances.

Hearing in the original application of the Pacific
Electric Railway Company in this matter was held on July 28th,
1916, and the Commission issued its Order (Decision No. 3670)
in relation thereto on September 26, 1916, granting applicant
an extension of time within which to complete the required re-
construction to and including June 30, 1919.

Hearing in this supplemental application was held in Los Angeles before Examiner Excell on June 26, 1918, and testimony of applicant's engineer was to the effect that approximately 70 per cent of the total number of infractions that existed in July 1916, have been eliminated, and that it has been applicant's aim in the performance of the work that has been done to eliminate all of the more hazardous conditions.

Considering the character of the remaining infractions, it may be logical to assume that the removal of a large percentage of them would not result in a commensurate increase in general safety.

Applicant bases its request for further extension of time mainly upon the conditions resulting from the present war emergency, the high price and scarcity of material and labor, and the urgent request of the Federal Government for conversation of material for essential use. It was further brought out by counsel that applicant's financial condition during the past five years has been not such as would permit easy compliance with the provisions of the statute.

In view of the fact that the policy of our Federal Government dictates that every effort should be made in the conservation of material that may be directly or indirectly essential to government needs, we are of the opinion that there is certain reconstruction required of applicant that may properly be postponed until economic conditions are more favorable, or until further ordered by this Commission, it being understood, however, that any work touched upon through the normal process of operation and maintenance shall be reconstructed in strict accordance with the provisions of the law.

In order that the Commission may be thoroughly satisfied as to the general safety of applicant's electric lines, it seems further proper and advisable that its Gas and Electric Division be directed to make an investigation of such lines and in the event of disclosure of any conditions which, in our opinion, may be deemed seriously hazardous, applicant should thereupon be instructed to immediately begin making corrections according to the provisions of the law, the work to be carried on in such a manner as will cause all such work to be completed on or before June 30, 1919.

O R D E R .

PACIFIC ELECTRIC RAILWAY COMPANY 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 the Commission shall be removed on or before June 30, 1919.

IT IS HEREBY FURTHER ORDERED that Pacific Electric Railway Company shall continue to file semi-annual progress reports as provided for in this Commission's previous Decision No. 3670.

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

Edwin O. Edgerton

H. D. Howard

Geo. Gordon

Frank D. Dwyer

Commissioners.