

Decision No. 5928

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of the application of Whittier Home Telephone and Telegraph Company and Downey Home Telephone and Telegraph Company for an order approving certain charges and authorizing the filing of rate sheets.

Application No. 4115.

BY THE COMMISSION.

O P I N I O N

This is an application for an ex parte order approving Bulletin No. 5 (Order No. 1931), dated August 28, 1918, and Bulletin No. 8, dated September 14, 1918, of the Postmaster General establishing certain charges for the installation and removal of telephones and telephone equipment, and authorizing the filing of revised rate sheets and the cancellation of existing rate sheets in accordance with the provisions of the bulletins herein referred to.

On November 19, 1918, the Railroad Commission issued its Decision No. 5927 in the matter of the application of The Pacific Telephone and Telegraph Company, Sacramento Valley Telephone Company, Home Telephone and Telegraph Company of Pasadena, Ontario and Upland Telephone Company, and Southern California Telephone Company for an order approving certain charges and authorizing the filing of rate sheets, Application No. 4091, granting the authority therein sought. Application No. 4091 herein referred to is a similar application to that of the petitioners herein.

The bulletins herein referred to were issued by the Postmaster General following Federal control and operation of the telephone and telegraph systems of the United States, authorized by the Senate on July 13, 1918. For a statement of the resolution of the

Senate and of the proclamation of the President of the United States, taking over the operation and control of the telephone and telegraph systems, and of the Commission's reasons for authorizing the placing in effect of the charges provided for in the Postmaster General's bulletins, reference is hereby made to Decision No. 5927 , hereinabove referred to. For the reasons and under the conditions therein stated, we are of the opinion that the application should be granted.

ORDER

Application having been filed by Whittier Home Telephone and Telegraph Company and Downey Home Telephone and Telegraph Company asking the Railroad Commission to make an ex parte order approving Bulletin No. 5 (Order No. 1931), and Bulletin No. 8 of the Postmaster General, and authorizing petitioners to file and place in effect rate sheets as in the several exhibits attached to the petition, the same to become effective as of September 1, 1918, in accordance with said orders of the Postmaster General;

And it appearing to the Railroad Commission that this application should be granted and that this is not a matter requiring a public hearing,

IT IS HEREBY ORDERED that the application herein be and it is hereby granted, provided that the approval herein given and made of said rate sheets shall not be deemed a finding of the reasonableness of the charges, rules and regulations therein provided; and provided further that such approval shall be temporary in its character for the reasons and under the conditions stated in the opinion preceding the order in Decision No. 5927 hereinabove referred to.

IT IS HEREBY FURTHER ORDERED that the authority herein granted petitioners to file and make effective rate sheets cancelling and superseding rate sheets heretofore on file with the Railroad Commission and in effect is limited as to cancellation of rate sheets

heretofore on file and in effect to those charges which are directly in conflict with the charges which are provided for in the orders of the Postmaster General hereinabove referred to.

AND IT IS HEREBY FURTHER ORDERED that the authority herein granted to make effective the charges for the installation and removal of telephones and telephone equipment, which are provided for in the said orders of the Postmaster General hereinabove referred to, is not retroactive as to any service order or orders placed with the petitioners herein prior to September 1, 1918.

Dated at San Francisco, California, this 19th
day of November, 1918.

Edwin O. Edgerton
H. D. Lovelace
Frank R. Dwyer

Commissioners.