

Decision No. 6945

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of CHARLES A. LORAIN for an order
of the Railroad Commission auth-
orizing the withdrawal of certain
service and rates.

Application No. 5061.

Charles A. Lorain, in propria persona.

BY THE COMMISSION.

O P I N I O N

The petitioner herein, Charles A. Lorain, seeks the authority of the Railroad Commission to discontinue service and rates under conditions heretofore requiring him to provide at his sole expense the line construction between subscribers' premises and petitioner's main line, together with telephone instruments and maintenance thereof.

A public hearing was held by Examiner Satterwhite at Placerville on November 24, 1919.

The Railroad Commission on February 14, 1914, by its Decision No. 1276, in Application No. 389, granted, under certain conditions, authority to petitioner to construct and operate a rural telephone line along the Green Valley Road from Rescue, in El Dorado County, to the Sacramento County line, and along the Deer Valley Road between its points of intersection with the Green Valley Road. A portion of said line was later completed and placed in operation and same has since been operated as a public utility.

Prior to January, 1917, subscribers of petitioner were required to provide at their own expense certain equipment, in-

cluding line construction from their premises to petitioner's main lines and telephone instruments, together with the maintenance thereof, in order to secure service under the authorized rate of \$1.25 per month. On January 4, 1917, the Railroad Commission issued its informal order permitting petitioner to charge and collect a rate of \$1.50 per month from subscribers for whom petitioner provided at his sole expense the equipment above referred to, together with the maintenance thereof.

It is now alleged, in the petition herein, that the cost of providing said equipment, together with the maintenance of same, is excessive and prohibitive in proportion to the rate charged for that service and that, therefore, the service and rates made effective under authority of the Commission's informal order of January 4, 1917, should be discontinued and withdrawn.

At the hearing, petitioner testified that only five subscribers availed themselves of the service furnished under this higher rate and that they were agreeable to the granting of this petition. It was also testified that said subscribers had arranged to purchase the equipment now furnished by petitioner, which will result in all subscribers connected to petitioner's lines being placed upon a parity. Each of said subscribers were notified by registered mail regarding the purpose and date of the hearing, and petitioner filed as exhibits the return receipts of said registered mail.

No one opposed the application.

It was developed by the Commission at the hearing that petitioner did not provide the line construction from the premises of the subscriber to petitioner's main line, as contemplated and provided for in the rate authorized in the informal order, hereinabove referred to. Petitioner introduced a statement as an exhibit

which showed a deficit of \$6.23 from operations for the year ending December 31, 1918.

ORDER

Charles A. Lorain having applied to the Railroad Commission for authority to withdraw certain service and rates, said service and rates being more specifically referred to as the service and rates made effective under authority of the Railroad Commission's informal order of January 4, 1917, and a public hearing having been held thereon and the matter having been submitted and now ready for decision,

IT IS HEREBY ORDERED that this application be and it is hereby granted.

Dated at San Francisco, California, this 17th day of December, 1919.

Erwin O. Egerton
J. D. Leonard
Frank P. Kline
H. P. Brundage
Dwight Mattson
Commissioners.