

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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ORIGINAL
Decision No. 702

QUINCY CHAMBER OF COMMERCE,

Complainant,

- vs. -

WESTERN UNION TELEGRAPH COMPANY,
a corporation,

Defendant.

Case No. 378.

J. D. McLaughlin for complainant.
Beverly L. Hodghead for defendant.

ESHELMAN and LOVELAND, Commissioners.

O P I N I O N

On March 21st the complaint in this case was filed, wherein it was alleged that the defendant has no office in the Town of Quincy, and that said Town has no telegraphic communication with the outside world except over the line of the California and Oregon Telegraph Company by way of Susanville and Reno, thus subjecting the people of Quincy to a double toll over the said California and Oregon Telegraph Company to Reno and thence over the Western Union.

The defendant maintains a telegraph line along the line of the Western Pacific passing through Marston, which is in the neighborhood of four miles from Quincy, and the complainant demands that an office be established in Quincy by the defendant and that a line be constructed thence to Marston to connect with the main transcontinental line of the defendant.

Subsequent to the filing of the complaint the defendant arranged with the Quincy Western Railway Company to telephone messages from Quincy to Marston over the telephone line of said

Quincy Western Railway Company, and the messages are sent thence by telegraph to their destination. The complainant attacks this service as being inadequate for the reason that the telephone line used by the defendant is inefficient and subject to interference by farmer line telephones in the vicinity of Quincy; and furthermore that the messages are telephoned from the Quincy office to the Quincy Western Railway Company in an open room and that no privacy is maintained. The Western Union admits the deficiency complained of and agrees to put in a sound-proof booth at Quincy, and likewise, in conjunction with the Quincy Western Railway Company, to reconstruct the telephone line from Quincy to Marston. This Company objects, however, to maintaining an office in Quincy other than in conjunction with the Quincy Western Railway Company because of the fact that the returns from this office are not sufficient to pay for an independent agent. The testimony shows that the defendant secures out of messages sent from Reno as its division of the rate over the California and Oregon Telegraph Company's line and its own the same amount as it would receive for the same message if delivered to it at Marston, and on this basis during the last year the average monthly revenue from the Quincy office is in the neighborhood of \$32.00.

We do not believe that under the facts disclosed at the hearing the defendant should be required to maintain an independent telegraphic agency at the Town of Quincy, but we are of the opinion that the service now rendered is inadequate and should be improved. If the sound-proof booth is placed in the station of the Quincy Western Railway Company and all messages telephoned from said sound-proof booth and the telephone line from Quincy to Marston is reconstructed so as to make efficient telegraphic communication possible, we believe that all will have been done by the defendant that in justice it should be required to do under present conditions.

As a result of this investigation and the work done by the Commission's telephone expert the people of Quincy will enjoy

a rate just 50% of the rate which they have heretofore paid, and we are satisfied also that the service will be much improved.

We do not mean to be understood as holding that every office of the telegraph company should be self-supporting. There may be cases when the Commission would be justified in requiring the telegraph company to maintain an office even though the office itself were conducted at a loss. But, as has already been said, the circumstances in this case do not, in our opinion, warrant any further relief than that which the Telegraph Company voluntarily offers to give.

We do not consider that a formal order is at this time necessary, but we recommend that the defendant make the improvements it has offered to make, and that after said improvements have been made that an inspection be made by the Commission and if such improvements are found adequate and satisfactory that the complaint be dismissed, but if not, that an order be entered requiring such improvements in addition to those voluntarily made as the Commission shall find necessary, and that in the meantime the case be held open, and it is so ordered.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 5th day of June, 1913.

John W. Eschleman
H. D. Loveland
Max Thelen
Edwin D. Edgerton

Commissioners.