

Decision No. 7273

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
SANTA BARBARA TELEPHONE COMPANY for)
a certificate of public convenience)
and necessity to exercise the rights)
and privileges granted by the County)
of Santa Barbara and ordained by Or-)
dinance No.394 passed by the Board of)
Supervisors of said County October 7,)
1918, effective November 7, 1918, and)
repealing all ordinances and parts of)
ordinances in conflict therewith.)

Application No. 4934.

In the Matter of the Application of)
SANTA BARBARA TELEPHONE COMPANY for)
a certificate of public convenience)
and necessity to exercise the rights)
and privileges granted by the City of)
Santa Maria and ordained by Ordinance)
No.87 passed by the Board of Trustees)
of said City October 5, 1918, effec-)
tive November 5, 1918, and repealing)
all ordinances and parts of ordinances)
in conflict therewith.)

Application No. 4935.

In the Matter of the Application of)
SANTA BARBARA TELEPHONE COMPANY for)
a certificate of public convenience)
and necessity to exercise the rights)
and privileges granted by the City of)
Lompoc and ordained by Ordinance No.)
190 passed by the Board of Trustees)
of said City November 23, 1918, effec-)
tive December 23, 1918, and repealing)
all ordinances and parts of ordinances)
in conflict therewith.)

Application No. 4936.

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- Chickering and Gregory, by Allen E. Chickering, for Santa Barbara Telephone Company.
- J. F. Frick for the City of Lompoc.
- C. E. Preisker for the City of Santa Maria.
- J. F. Frick, C. E. Preisker, S. J. Stanwood, John Torrance and H. E. Dedwick (Members of the Board of Supervisors) for the Board of Supervisors of the County of Santa Barbara.
- N. P. Powley for the Pacific Telephone and Telegraph Company.

LOVELL, Commissioner.

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O P I N I O N

These three applications belong to the class of so-called applications for certificates of public convenience and necessity and were made in compliance with Section 50-b of the Public Utilities Act, which requires all public utilities to obtain the Commission's approval before exercising any franchise granted by any municipality or county.

The nature of the three applications is identical: the cities of Santa Maria and Lompoc and the County of Santa Barbara have passed ordinances (nos. 190, 87 and 394, respectively) permitting the Santa Barbara Company to function as a telephone utility in their several territories, and the company asks authority to fulfill and enjoy the provisions of the franchises so granted.

A joint hearing was held in Santa Barbara on November 24, 1919. At this hearing it was shown that there is no new matter requiring investigation in the three ordinances but that the franchises merely extend for a longer period of time privileges which had previously been granted by the cities and the county and had been confirmed by the Commission in former decisions. Since there was no competing company to oppose the application, the matters were submitted without question.

I suggest the following form of order:

O R D E R

SANTA BARBARA TELEPHONE COMPANY having applied to the Railroad Commission for certificates of public convenience and necessity to exercise the rights and privileges granted under franchises of (1) the City of Lompoc (Ordinance 190), (2) the City of Santa Maria (Ordinance 87) and (3) the County of Santa Barbara (Ordinance 394), all as described in the applications listed above; a hearing having

been held and copies of said franchisee and stipulations as to Applicant's claims for the values thereof having been duly filed by SANTA BARBARA TELEPHONE COMPANY in form satisfactory to this Commission:

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require and will require the exercise by SANTA BARBARA TELEPHONE COMPANY of the rights and privileges of the franchisee hereinbefore described.

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 15th day of March, 1920.

Erwin C. Sawyer
H. S. ...
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H. S. ...

Commissioners.