

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the application of the
Fall River Telephone Company, an unin-
corporated association, for a certificate
of public convenience and necessity to
operate a telephone system in Fall River
Valley, Shasta County, California.

Application No. 5687.

J. W. Carter, for the Applicant.

By the Commission:

O P I N I O N

Fall River Telephone Company, applicant in this proceeding, is an unincorporated association which was organized during the year 1917 for the purpose of acquiring and operating certain telephone lines theretofore constructed and operated as public utilities without proper authority by what were known as North Pitt River Telephone Company, South Pitt River Telephone Company and Glenburn Telephone Company. The lines referred to are serving the following communities and territory adjacent thereto in Shasta County:

Fall River Mills
Glenburn
Dana

Mc Arthur
Pittville
Little Valley

It having come to the notice of the Railroad Commission that the three companies above named were operating as public utilities without proper authority and their attention having been directed to the necessity of applying for such authority, the Fall River Telephone Company was organized by the individuals comprising these three companies and this proceeding was instituted to comply with the require-

ments of Section 50(a) of the Public Utilities Act, which provides in part that no telephone corporation as that term is defined by the Act shall henceforth begin the construction of its lines without first having obtained from the Commission a certificate that the present or future public convenience and necessity require or will require such construction.

A public hearing was held in the City of Redding on September 24, 1920, before Examiner Satterwhite.

It was brought out at this hearing and in subsequent correspondence that, except as to Little Valley, all of the points now reached by applicant's lines were, prior to their construction, served by the lines of another utility, formerly known as the H. E. Williams Telephone Company, legally operating in this territory, and now owned and operated by E. R. Feuz.

As far as the service heretofore provided in this territory by the H. E. Williams lines, now operated by E. R. Feuz, is concerned, Mr. Feuz has expressed himself in recent correspondence as being willing to permit the Fall River Telephone Company to serve the territory but asks that he be permitted to dispose of such lines now operated by him as will be affected by the entrance of the Fall River Telephone Company into the territory and to withdraw the service for which he is now responsible.

In view of these facts, joint application, on the part of E. R. Feuz, for permission to abandon his service and, on the part of the Fall River Telephone Company, to enter the territory with its service should be filed with the Railroad Commission, and, pending a hearing upon such joint application and a decision by the Commission thereon, a certificate of public convenience and necessity should not be granted in the present proceeding.

The following Order is recommended:

O R D E R

Application having been filed with the Railroad Commission by Fall River Telephone Company, an unincorporated association, for a certificate of public convenience and necessity, authorizing it to construct and operate certain telephone lines in Shasta County, California, as set forth in the Opinion preceding this Order, a public hearing having been held and it appearing that the territory within which Fall River Telephone Company asks for said certificate of public convenience and necessity, is now served by the H. E. Williams Telephone lines, now owned and operated by E. R. Feuz,

IT IS HEREBY ORDERED, That the application herein be and it is hereby denied.

Dated at San Francisco, California, this 6th day of May, 1921.

H. D. Loveland
H. B. Bunting
D. W. Martin
J. H. Pender

Commissioners.