

ORIGINAL

In the matter of the application of THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY to withdraw from and the FARMINGTON TELEPHONE ASSOCIATION to enter certain territory in and adjacent to the town of Farmington, San Joaquin County, California.

Application No. 68L.

Appearances

- E. A. Johnson for The Pacific Telephone and Telegraph Company.
J. L. Wilson and
D. E. Young for Farmington Telephone Association.

OPINION

GORDON, COMMISSIONER:

This is a joint application involving the withdrawal of The Pacific Telephone and Telegraph Company from certain territory, in which it is operating a telephone system as a public utility, in favor of the Farmington Telephone Association operating a telephone system as a public utility in the same territory. It involves also a connection between the lines of the two companies involved for the interchange of long distance toll service.

The Farmington Telephone Association operates a system of rural or farmer lines connecting with the Association's switchboard at Farmington in territory from which the Pacific Company desires to withdraw, and there appears to be no objection to allowing the local company to serve this territory.

It is desired by the applicants to enter into a connecting agreement providing for the interchange of traffic. The proposed connecting agreement provides for the payment by The Pacific Telephone & Telegraph Company to the local company of 15% of its

toll revenue on paid messages originating on the lines of the local company. It provides also that the local Company shall, at its own expense, keep the toll lines of The Pacific Telephone and Telegraph Company within the town limits of Farmington, clear and in good working order at all times.

It was agreed at the hearing that the connecting agreement shall be so modified as to provide for the payment by The Pacific Telephone and Telegraph Company to the local Company of not less than 30% of originating paid tolls, or the equivalent of 30%, divided between originating and incoming tolls, and to provide for The Pacific Telephone and Telegraph Company to keep, at its own expense, its toll lines within the town limits of Farmington, clear and in good working order at all times.

The following order is therefore recommended:

O R D E R

Application having been made by The Pacific Telephone and Telegraph Company and by the Farmington Telephone Association, the one to withdraw from certain territory in San Joaquin County, California, and the other to enter the said same territory, as defined in that certain proposed connecting agreement filed with this application, and a hearing having been held thereon and no reasonable objection appearing,

IT IS HEREBY ORDERED that the application of The Pacific Telephone and Telegraph Company and the Farmington Telephone Association, the one to withdraw from certain territory in San Joaquin County, California, and the other to enter the said same territory as a public utility operating a telephone system, as hereinbefore provided, be and the same is hereby granted; provided, that the proposed connecting agreement, herein referred to, shall be so modified as to provide for the payment by The Pacific Telephone and Telegraph Company to the Farmington Telephone Association of not less

then 30% of originating paid tolls, or the equivalent thereof divided between originating and incoming tolls.

AND PROVIDED FURTHER that the proposed connecting agreement, herein referred to, shall be so further modified as to provide for The Pacific Telephone and Telegraph Company, at its own expense, to keep its toll lines within the town limits of Farmington, clear and in good working order at all times.

AND PROVIDED FURTHER that this permission is not to be taken as an approval of the rates since this Commission has not as yet passed upon their ultimate reasonableness. Except as to rates, which may, if desired, be and become effective as of the date of this order, this Order to be and become effective upon the filing with this Commission of a revised connecting agreement on the part of the two companies involved. The said filing to be made within thirty days of the date of this Order.

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 19th day of September, 1913.

J. M. Washburn
A. H. Donaldson
A. Gordon
Wm. J. Helms

Commissioners.