

ORIGINAL

Decision No. 9763

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation, for a certifi-
cate that public convenience and
necessity require the exercise by it
of the rights and privileges conferred
upon it under franchise granted it by
City of Arcata.

Application No. 7155.

J. P. Noble for The Pacific Telephone
and Telegraph Company.

C. N. Torp, City Attorney, for the
City of Arcata.

BY THE COMMISSION.

O P I N I O N

A public hearing was held by Examiner Westover at Arcata on the above application to exercise franchise rights to operate telephone system.

A franchise was granted by Ordinance No. 230, adopted by the City Council of Arcata, June 2, 1921, superseding Ordinance No. 81, adopted February 8, 1896, to expire 25 years after the date of its passage. These ordinances authorize the applicant to place, erect, and maintain poles, wires and other appliances for the transmission of electricity for telephone and telegraph purposes in, upon and under the streets, alleys, avenues, thoroughfares and public highways in the City of Arcata, and to exercise the privilege of operating telephone and telegraph instruments and to do a general telephone and telegraph business within that city.

Applicant has served Arcata and vicinity, a community now having a population of about 2500, for the past 25 years, the purpose of the application and of the new franchise being to authorize it to continue this service. The cost of acquiring the new franchise is shown to have been \$25.00.

ORDER

A public hearing having been held upon the above entitled application, the matter being submitted and now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require and will require the exercise by The Pacific Telephone and Telegraph Company of franchise rights acquired by it under Ordinance No. 230, adopted June 2, 1921, by the City Council of the City Arcata, authorizing it to continue to supply telephone and telegraph service to the inhabitants of Arcata; provided that neither applicant, its successors and assigns, will ever claim before the Railroad Commission, or any other public body having jurisdiction, a value for said franchise or privileges covered by said ordinance for rate fixing or any other purpose, in excess of \$25.00, the amount actually paid to the city of Arcata as a consideration for the granting of said franchise and privileges.

Dated at San Francisco, California, this 17th day of November, 1921.

H. B. ...
H. B. ...
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Commissioners.