

M.

Decision No. 9890

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

Jack Kincaid et al.

Vs.

Reedley Telephone Company

Case No. 1599.

C. W. Tackaberry for complainants.

A. Terkel for defendant.

By the Commission.

O P I N I O N

This complaint was filed against the Reedley Telephone Company by sixteen farmers who receive telephone service from the Reedley exchange over a through line owned and operated by the defendant, which is known as the Squaw Valley-Dunlap Line and over privately owned side lines running from the through line to the subscribers' premises.

The complaint alleges in effect that the defendant is not maintaining the above mentioned line in such condition that good telephone service can be rendered over same; that defendant has repaired the side lines at various times when they did not need repairs and rendered a bill to the subscribers for the work performed and that defendant has in some instances discontinued service to

subscribers for non-payment of these repair bills.

The Commission is asked to make its order to the Reedley Telephone Company in the following matters:

1. Requiring it to repair the Squaw Valley-Dunlap Line so that good service may be rendered over same.
2. Requiring it to purchase all side lines at a reasonable amount or
3. Enjoining it from interfering with the side lines and, in this connection
4. Require complainants to keep their side lines in good condition and repair.

by Examiner Satterwhite

A public hearing was held/in Reedley on September 23, 1921 and the engineering department of the Commission made a report on the situation which was submitted at the hearing.

Testimony brought out the fact that the defendant had repaired the through line about the time the complaint was filed. The problem, therefore, resolved itself into the solution of the future maintenance and up-keep of the through and side lines.

The report of our engineers suggested several possible ways to rectify the present conditions. The defendant prefers to dispose of its entire equity in this line and have complainants fully responsible for the service. The complainants filed a resolution, passed September 28, 1921, adopting proposal No. 2 contained in the engineer's report which reads as follows:

"The (ownership of the) lines may be permitted to remain as at present with the Reedley Company fully responsible for the maintenance and operation of both the main and side lines. The subscribers would be required then to pay a monthly rate sufficiently high to defray this expense."

Inasmuch as the through line connects with the station called Dunlap and is the only means of securing toll communication with outside towns from the General Grant National Park and the Sequoia National Park, we feel that the company should be re-

sponsible for the continuance of this service.

We are convinced that the most feasible plan is that adopted by complainants and we have reached the conclusion that the rates for service on this line should be raised from \$2.00 per month per station to \$4.00 for residence service and from \$2.25 per month per station to \$4.25 for business service.

These rates shall remain in effect for one year, during which time defendant shall keep a record of the actual cost of maintaining the side lines and the main line. At the end of this period the reasonableness of the proposed rates may be determined and such changes made in them as are found advisable.

It will be necessary for both the complainants and the defendant to reconstruct their respective lines to the extent required to meet the standards of construction approved by this Commission for territory of this character. These standards will be furnished by the Commission.

O R D E R

Jack Kincaid, et al, having made complaint in the above entitled proceeding, a public hearing having been held thereon, and the Commission being fully informed in the matter,

IT IS HEREBY ORDERED that defendant shall reconstruct the so-called Squaw Valley-Dunlap line to the extent necessary to comply with the standards of construction which the Commission will require for this line. This work shall be completed within ninety (90) days from the date of this Order unless good cause is shown for an extension of time.

IT IS HEREBY FURTHER ORDERED that ninety (90) days from the date of this Order defendant may discontinue service to each complainant or other subscriber on this line who owns a side line, unless side line has been reconstructed to the extent necessary to comply with the standards of construction which the Commission

will require for these side lines, providing the main line reconstruction has been completed within this time and unless good cause is shown by the subscribers for an extension of time.

IT IS HEREBY FURTHER ORDERED that defendant is hereby authorized to file with this Commission within thirty (30) days from the date of this Order a schedule of rates for service on this line as follows:

Business-Wall, per month - \$4.25

Residence-Wall, per month- 4.00

Desk Telephones, 25 cents per month
additional.

Upon approval these rates may be made effective after completion of the work hereinbefore specified, subject to such modification, if any, as the Commission may hereafter find to be reasonable.

IT IS HEREBY FURTHER ORDERED that after completion of the re-construction required by this Order, defendant shall maintain both the main and the side lines and the station apparatus connected thereto, in such condition that good and efficient telephone service can be given over them. The monthly rental for service shall constitute the compensation for this work.

IT IS HEREBY FURTHER ORDERED that defendant shall keep a record of the actual cost of maintaining the side lines and a record of the actual cost of maintaining the main line for a period of one year from the date of making the proposed rates effective. These records shall be in sufficient detail to permit a complete check to be made of them.

Dated at San Francisco, California, this 20th day of December, 1921.

W. B. ...
H. ...
...
...

Commissioners.