

Decision No. 25958.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
MARY ROPER, as executrix of the  
last will of John Wesley Roper,  
also known as J. W. Roper, deceased,  
for authorization to sell and  
CARL P. DODGE to purchase and acquire  
a telephone property and render  
telephone service in the territory  
served.

Application No. 18860.

BY THE COMMISSION:

O P I N I O N

In this proceeding the Commission is requested to make its order authorizing Mary Roper, as executrix of the last will of John Wesley Roper, deceased, who operates a small telephone system in the County of Butte, California, to sell these telephone properties to Carl P. Dodge. The Commission also is asked to authorize Carl P. Dodge to purchase the afore-said properties and to render telephone service in the territory now served by Mary Roper.

The telephone property for which authorization to transfer is requested consists principally of a No. 12 iron wire, grounded line, strung, generally, on trees and extending from Chico to Butte Meadows, a distance of about thirty-six miles. Approximately 380 cedar poles are in use in the line, together with glass and porcelain insulators and oak brackets. The telephone equipment to be transferred includes three extension bells, five telephone sets, a small switchboard and miscellaneous apparatus.

The system serves three subscribers at Butte Meadows and four toll stations known as Mann, West Branch, Bennett's Mill and Royal Drift.

It is asserted that Mary Roper will be unable to give any attention to the operation of the telephone service and is unable financially to keep the system in order. She has obtained from the Superior Court of the State of California, in and for the County of Butte, an order authorizing her to sell the telephone property for \$200.

It is represented that Carl P. Dodge is willing and able to acquire the telephone system, to make necessary improvements and to assume the responsibility of operating the same.

It is stated that there has been invested in this property the sum of \$2,200.

There is reason to believe that no deterioration of the service will result if this transfer is made and that some improved service conditions may result.

#### O R D E R

The Commission having been asked to make an order authorizing the transfer of certain telephone property as indicated in the foregoing opinion, having considered the request of applicants, and being of the opinion that this is not a matter in which a public hearing is required and that the application should be granted as herein provided, therefore

IT IS HEREBY ORDERED as follows:

1. Mary Roper, as executrix of the last will of John Wesley Roper, deceased, may, on or before August 1, 1933, sell and transfer to Carl P. Dodge that certain telephone line, extending from Chico to Butte Meadows, and associated telephone property as more particularly described in the application and in the opinion preceding this order and, as of the date of such sale and transfer, shall discontinue all telephone public utility operations.

2. Carl P. Dodge may purchase the aforementioned telephone properties from Mary Roper and may render telephone service in the territory now being served by means of said telephone properties.
3. Carl P. Dodge shall, upon acquiring the aforesaid properties, continue the rates and charges for service in said territory until or unless changes in said rates and charges are authorized by this Commission.
4. The consideration which Carl P. Dodge will pay for the aforementioned properties shall never be urged before this Commission as determining the value of said properties for any purpose other than the transfer herein authorized.
5. Carl P. Dodge shall, within ten (10) days after acquiring the aforesaid properties, notify the Railroad Commission of the date of the beginning of his public utility operations.

Dated at San Francisco, California, this 22nd day of  
May, 1933.

C L Seaver  
Leon A. White  
W. J. Carr  
W B Harris  
Walter W. ...  
Commissioners.