

Decision No. 28734

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PUBLIC UTILITIES CALIFORNIA CORPO-
RATION

and

JESS MARX
For an Order authorizing the sale
from the former to the latter of
the so-called Stillwater-Buckeye
Telephone Line.

ORIGINAL

Application No. 20451

BY THE COMMISSION:

O P I N I O N

In this proceeding the Railroad Commission has been asked to make an Order authorizing Public Utilities California Corporation to transfer and to convey, and Jess Marx to acquire, certain telephone properties and for the former to abandon service in the territory served by the so-called Stillwater-Buckeye Telephone Line and the latter to serve said territory.

The application shows that Public Utilities California Corporation furnishes telephone service in portions of Lassen, Modoc, Plumas, Shasta and Tehama Counties in California.

Jess Marx, an individual whose postoffice address is Redding, Shasta County, California, operates telephone lines in the vicinity of the Stillwater-Buckeye Telephone Line.

The application states that the property to be trans-

ferred consists of one No. 12 galvanized iron grounded exchange telephone line located in Sections of Township 32 North, Range 5 West and 4 West in Township 33 North, Range 4 West following the traveled road from Redding to the service station owned by E. Fish on State Highway 99, north of Redding via the Kelley and Hardenbrook ranches, a distance of approximately nineteen (19) miles, together with poles supporting same (a large part of circuit being on trees) also brackets and glass insulators, together with four (4) magneto wall telephones which are now connected to this line. The proposed transfer price is One Hundred (100) Dollars in accordance with an agreement attached to the application as Exhibit "A".

It appears that the interests of the public will not be adversely affected by the authorization of this transfer.

O R D E R

The Commission having been asked to make an Order authorizing the transfer of certain telephone property as described in the foregoing Opinion, having given due consideration to the request, 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. Public Utilities California Corporation may, on or before August 1, 1936, sell and transfer to Jess Marx that certain telephone line known as the Stillwater-Buckeye Telephone Line and associated telephone property, as more particularly described in the foregoing Opinion and as of the date of such transfer shall

discontinue all telephone utility operations in the territory served by said line, and within thirty (30) days thereafter modify and refile with the Railroad Commission its schedules of rates and map of service territory to show the discontinuance of such utility operations.

2. Jess Marx may purchase the aforementioned telephone properties from Public Utilities California Corporation and may furnish telephone service in the territory now served by means of said Telephone Line.

3. Jess Marx shall upon acquiring said telephone properties continue in effect the rates and charges for service in said territory until or unless changes therein are authorized by this Commission.

4. Jess Marx shall, in accordance with General Order No. 68, incorporate in his filings with the Railroad Commission, not later than ten (10) days immediately preceding the transfer of said properties, schedules of rates for and map of the territory to be transferred herein.

5. The consideration for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value for rate-fixing or any purpose other than the transfer herein authorized.

6. The purchaser, Jess Marx, shall, within thirty (30) days after the execution of the deed or instrument of conveyance under which he acquires and holds title to the aforesaid properties, file with this Commission a certified copy

thereof.

For all other purposes, the effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 20th day of April, 1936.

M. B. Lavin

Leon A. Whalley

M. A. Linn

M. H. [unclear]

Frank R. Deven

Commissioners.