

Decision No. 23141

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
W. H. TAYLOR to sell and J. C. COUGHLAN  
to purchase a telephone line operated  
between Nevada City, California, and  
North Bloomfield, California.

Application No. 23141

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In the Matter of Discontinuance of Serv-  
ice of the NORTE BLOOMFIELD TELEPHONE CO.

Case No. 4418

H. W. Sheldon, for W. H. Taylor, Applicant  
and Defendant.

M. W. Ricker, for Complainant.

James G. Marshall, for The Pacific Telephone  
and Telegraph Company.

BY THE COMMISSION:

O P I N I O N

In Case No. 4418, filed with the Railroad Commission on May 11, 1939, Louis Nonnenmann makes complaint against North Bloomfield Telephone Company and W. H. Taylor, owner thereof, requesting that the telephone service between North Columbia and Nevada City be restored.

On November 27, 1939, W. H. Taylor and J. C. Coughlan jointly filed an application for authority to transfer operative rights and equipment used in the operation of the North Bloomfield Telephone Company line from the former to the latter. At the hearing held in Nevada City on January 18, 1940, before Examiner Fry, counsel for W. H. Taylor proposed to file an amendment to Application

No. 23141, therein asking for authority to discontinue the public utility operations of North Bloomfield Telephone Company. This amendment was received and filed by the Railroad Commission on January 25, 1940.

North Bloomfield Telephone Company, now owned by W. H. Taylor, is a telephone utility which formerly operated a grounded telephone line from Nevada City to North Bloomfield and to Columbia Hill. At times, privately-owned extensions of the line were in operation, but for about two years the line has been entirely out of service. The line was connected to The Pacific Telephone and Telegraph System at Nevada City under the former line rate schedule.

It is evident that this line, built in sparsely settled territory, generally attached to trees, and with about six subscribers, can not make an earning as a public utility. The record shows that the parties interested in this property and service have desired to operate the same as a cooperative project.

Letters have been received from all except one of the late subscribers to service from this line, expressing agreement to the proposed abandonment of the public utility operations of W. H. Taylor. The attorney for the other subscriber indicated in a letter to the Commission that his client is willing to join with others in the operation of a cooperative line.

It is clear that W. H. Taylor should be permitted to discontinue the public utility operations of the North Bloomfield Telephone Company. After such discontinuance the line will not be operative public utility property and may be sold without the requirement of an order from the Railroad Commission. As Louis

Nonnenmann may join with others in securing service on a mutual non-utility basis his complaint, Case No. 4418 should be dismissed.

O R D E R

Louis Nonnenmann in Case No. 4418 having made complaint against W. H. Taylor, owner of North Bloomfield Telephone Company; W. H. Taylor and J. C. Coughlan having jointly made application for authority to transfer the operative rights and equipment of the North Bloomfield Telephone Company line; W. H. Taylor having filed an amended application for authority to discontinue the North Bloomfield Telephone Company line as a public utility; these matters having been consolidated for hearing and decision; a public hearing having been held; and the matter now being ready for decision:

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA, after full and careful consideration of the records pertaining to these matters, finds that W. H. Taylor should be granted authority to discontinue telephone public utility operation, therefore

IT IS HEREBY ORDERED that W. H. Taylor, owner of North Bloomfield Telephone Company, may discontinue telephone public utility operations on or before June 1, 1940, provided that at least ten (10) days before the date of such discontinuance of telephone public utility operations he shall have filed with the Railroad Commission of the State of California a notice thereof.

IT IS HEREBY FURTHER ORDERED that the complaint of Louis Nonnenmann in Case No. 4418 be and the same is dismissed.

Except as otherwise stated herein, the effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at Los Angeles, California, this 26<sup>th</sup> day of March, 1940.

Ray & Rice  
Frank D. Miller  
Ray D. Wapner  
M. J. Hill  
Justus J. Coe  
Commissioners