

Decision No. 24282

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
Hilda V. Marx to sell and Melvin W. Hawes  
to purchase the portion of the telephone  
property of Hilda V. Marx, known as the  
Bear Creek and Millville Telephone Lines.

ORIGINAL

Application No. 24203

BY THE COMMISSION:

O P I N I O N

In this application Hilda V. Marx requests authority to sell a portion of the telephone properties known as the Bear Creek and Millville Telephone Lines, and Melvin W. Hawes requests authority to purchase these certain telephone properties.

The public utility operating under the fictitious name and title of Bear Creek and Millville Telephone Lines furnishes telephone service in two separated areas; one located east and southeast of Redding, Shasta County; and the other northeast of Redding. The application herein has reference to the section located east and southeast of Redding. As the present proceeding does not relate to the area northeast of Redding, the present owner will continue to operate the same as a public utility under a new name.

The property to be transferred is in the vicinity of Millville, Bear Creek, and Anderson, in Shasta County and, in general, consists of a central office at Millville and a combination toll and exchange telephone line extending from Millville to Anderson.

The items of property included in the transfer are;

- Approximately 70 miles of grounded #12 iron wire
- Approximately 300 poles in fair condition
- Approximately 500 posts (2x4) on fence posts (the fence posts being owned by ranchers along the route)
- 24 telephones, mostly Western Electric type, in fair condition
- 5 knife switches, 5 call bells and telephone at Millville
- 2 knife switches, 2 call bells and telephone at Sutter's ranch.

Copies of the agreement of sale and the bill of sale are filed in this proceeding as Exhibit "C."

The original cost of the property to be transferred is not known. The sale price is two hundred dollars (\$200.00).

Hilda V. Marx is unable to continue to operate the property to be transferred. Although Melvin W. Hawes has had no telephone experience, he has employees available who should be able to keep the property in operating condition.

O R D E R

The Commission having considered applicants' request, and being of the opinion that this is not a matter in which a hearing is required, and that the transfer of the telephone property referred to in the foregoing Opinion is in the public interest, therefore

IT IS HEREBY ORDERED that Hilda V. Marx be and she is hereby, authorized to sell and transfer, on or before September 1, 1941, to Melvin W. Hawes, the telephone property referred to and described in the preceding Opinion.

IT IS HEREBY FURTHER ORDERED that the consideration to be paid by Melvin W. Hawes for said properties shall not be considered as the measure of the value of said properties for the purpose of fixing rates.

IT IS HEREBY FURTHER ORDERED that within thirty (30) days after the sale and transfer of said telephone properties Melvin W. Hawes shall file with the Railroad Commission a verified copy of the bill of sale under which he holds title to said properties.

IT IS HEREBY FURTHER ORDERED that Melvin W. Hawes shall file with the Railroad Commission in accordance with General Order No. 68, not later than the tenth day immediately preceding the transfer of the telephone property above referred to, schedules of rates, rules and regulations for the telephone service to be rendered in the territory now served by Hilda V. Marx, except that portion situated northeast of Redding and which is not authorized to be transferred by this Order.

IT IS HEREBY FURTHER ORDERED that Melvin W. Hayes shall not lower the present grade of the telephone service in the service area transferred or increase any rates or charges for telephone service therein unless so authorized by later Order of the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that Hilda V. Marx shall file with the Railroad Commission, in accordance with General Order No. 68, not later than the tenth day immediately preceding the transfer of the telephone property herein authorized, complete schedules of rates, rules and regulations for telephone service in that portion of the present service area of the Bear Creek and Millville Telephone Lines located northeast of Redding which is not hereby authorized to be transferred.

IT IS HEREBY FURTHER ORDERED that Hilda V. Marx shall discontinue all public utility operations, in the territory herein transferred, as of the date of the sale of the telephone property described in the preceding Opinion.

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 10<sup>th</sup> day of June, 1941.

Ray A. Riley  
Matthew J. Casper  
Frank C. Stover  
Richard L. Lusk  
Commissioners