

Decision No. 35238

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

The Crocker Hotel Company,
Complainants,
vs.
The Pacific Telephone and Telegraph
Company,
Defendants

ORIGINAL

Case No. 4631

BY THE COMMISSION:

OPINION AND ORDER

Complainant, the owner and operator of the Hotel St. Francis in the City of San Francisco, asks the Commission to restrain the Telephone Company in its proposed change of the hotel's telephone number from DOuglas 1000 to YUkon 2131. It is alleged that the present number has been retained for more than thirty years and that the continued possession of this number is of great value to the hotel. It is further alleged that in so far as it may have become necessary for the company to make changes in its central office equipment and assign new numbers to any telephone subscribers for the purpose of relieving existing traffic congestion, such traffic congestion is not attributable entirely to the increased use of telephone service by the hotel itself but by other large telephone subscribers.

These allegations are set forth in a formal complaint filed April 1, 1942. No formal hearing has been had upon this complaint. However, the same matter was earlier brought to the Commission's attention by informal complaint, conferences were held to enable the respective parties to present their contentions and a physical survey was made by the Commission's own engineers. A further hearing would not add materially to the information now before us. We believe, therefore, that it is incumbent upon us to at once express judgment upon the formal complaint now filed. Our conclusion, as before expressed to the parties informally, is that no ground appears for interference with the company's proposed action.

The intricate mechanical equipment of a modern telephone plant is not designed to permit each subscriber the privilege of selecting a number agreeable to him or to retain for all time the number first assigned. The same is true of the name prefixed to the number, for both are but an identifying device by means of which a multitude of telephonic connections may be made. The name prefix YUKON is merely a convenient way of expressing the 98 digit series. Obviously, there are but few names which begin with the letters YU. The word Yukon has no significance whatever.

The company's filed tariff rules provide that a patron obtains no proprietary right to a particular number assigned to his service connection and that reasonable changes in numbers and central office equipment may be made as the company's requirements demand. Similar rules are uniformly approved by state regulatory bodies as essential to the maintenance of efficient service to telephone subscribers generally. The rule itself is not challenged. There is no indication that the proposed action of the company is arbitrary or capricious. It seems to be conceded that it is taken for the sole purpose of meeting exigencies arising from the greatly increased traffic demands that have arisen out of the impact of the war effort. It is our conclusion that we should not and may not appropriately issue the restraining order requested.

If the complainant desires a hearing at which it may introduce further evidence, it may present its request in a petition for rehearing of this order dismissing the complaint.

The Commission having considered the complaint herein, and good cause appearing,

IT IS ORDERED that the complaint be and hereby is dismissed.

Dated, San Francisco, California, this seventh day of April, 1942.

Justus J. Brewer
Roy K. Riley
W. B. A. K.

Commissioners