

Decision No. 35523

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of
Leslie H. Swanson, doing business
under the name of Robert L. Swanson
Telephone System, to discontinue
operations as a telephone utility.

Application No. 24992

Stanley Fugh, for Applicant
James G. Marshall, for The Pacific Telephone and
Telegraph Company, interested party
A. J. Mathews, for Public Utilities California
Corporation, interested party.

BY THE COMMISSION:

O P I N I O N

Leslie H. Swanson, doing business under the name of Robert L. Swanson Telephone System, in this application requests authority to discontinue operations as a public utility.

The Robert L. Swanson Telephone System serves a territory extending northeastward from Red Bluff to Paynes Creek and Manton, a distance of more than twenty-five miles. Exhibit "D" attached to the application sets forth that there are about forty-five miles of No. 12 iron wire, 498 poles, and thirty telephones in the system.

A public hearing in the application was held at Red Bluff on June 10, 1942 before Examiner Fry, and the matter was submitted for decision.

Mr. Swanson testified that a large portion of his time and the time of his wife, as operator of the switchboard, is required in the furnishing of the telephone service. The remainder of his time is not continuous and he is, therefore, unable to accept other employment except such jobs as can be performed at odd hours. No wages have been paid to his wife for her services. At times it has been necessary to secure operating help.

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Such records of the utility as are available do not indicate that reasonable expenses have been met out of the revenues received. It is particularly noticeable that only five dollars was shown to have been expended for wages and salaries of Mr. Swanson, his wife, and any additional help for a three months' period. It was stated that the property had been in place for many years and few replacements had been made, and consequently, the system is in a seriously deteriorated condition. Mr. Swanson stated that even if he could borrow money with which to finance improvements, he could not repay such a loan as he has no other resources except a house with two acres of land.

In order that the present subscribers can secure telephone service, Mr. Swanson has agreed with the subscribers to sell to them the lines and instruments now in use. Seventeen of these subscribers located in the vicinity of Red Bluff would be able to secure service from The Pacific Telephone and Telegraph Company at former line rates. Mr. James G. Marshall, representing that company, confirmed this statement.

Mr. A. J. Mathews, representing Public Utilities California Corporation stated that the Corporation would apply to the Railroad Commission for authority to establish a toll station at Paynes Creek. A toll service-station service schedule would be filed so that the present Swanson subscribers in and near Paynes Creek and Manton could secure service through the Paynes Creek toll station. Mr. Mathews stated that he would recommend a schedule of rates higher than is generally applicable in the Corporation's service territory. We are of the opinion that when Leslie H. Swanson discontinues public utility telephone service, Public Utilities California Corporation should open a toll station at Paynes Creek and offer toll service-station service in the community at the rate level in effect in other communities in the service territory of Public Utilities California Corporation.

Certain Paynes Creek subscribers expressed objection to the payment by them of greater charges for telephone service when Mr. Swanson discontinues public utility telephone service.

Under the circumstances as revealed by the evidence we believe that the application should be granted.

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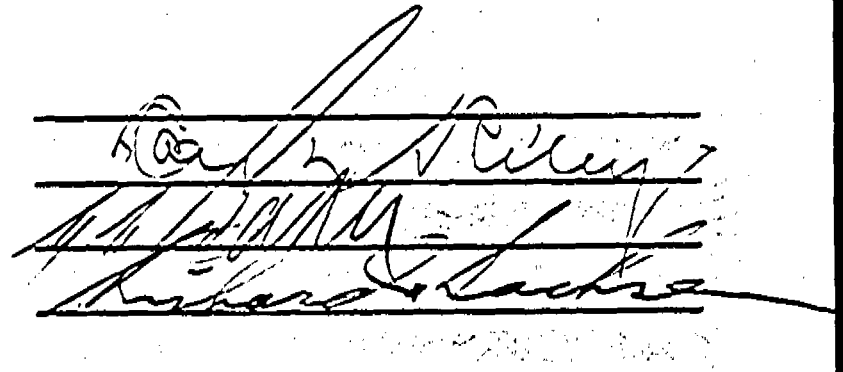
ORDER

Leslie H. Swanson, having made application to the Railroad Commission for authority to discontinue public utility operations, a public hearing having been held, and the matter having been submitted for decision, therefore,

IT IS HEREBY ORDERED that Leslie H. Swanson be and he is hereby authorized to discontinue public utility operations on or before September 1, 1942, provided he advises the Railroad Commission by letter not later than fifteen (15) days immediately preceding the effective date of the discontinuance of service.

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 23rd day of June, 1942.



Commissioners