

Decision No. 36747

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension and Investigation on the Commission's own motion of certain rates, rules and regulations of Postal Telegraph-Cable Company

ORIGINAL

Case No. 4703

McCutchen, Thomas, Mathew, Griffiths & Greene by Morris M. Doyle, for Postal Telegraph-Cable Company.
John J. O'Toole, Dion R. Holm and Paul L. Beck for City and County of San Francisco.
J. J. Deuel for California Farm Bureau Federation.

BY THE COMMISSION:

O P I N I O N

Postal Telegraph-Cable Company on October 18, 1943, filed with the Railroad Commission its Advice No. 157 stating:

"Postal Telegraph-Cable Company has ceased operation and its tariffs are therefore being cancelled in order to clear the records, effective, as of November 15, 1943. The C.R.C. Sheets to be cancelled are as follows:"

Said Advice then listed 116 tariff sheets then on file with the Commission. Among the tariff rate sheets so listed were certain tariffs for toll telephone service.

At midnight on October 7, 1943, The Western Union Telegraph Company by acquisition took possession of the Postal Telegraph-Cable Company properties used in furnishing the telegraph and toll telephone services for which the tariff rate sheets listed in Advice No. 157 were applicable. The Western Union Telegraph Company had rates on file with the Commission for the various items of telegraph service covered by the rate sheets referred to above, but had no tariff schedules for toll telephone service.

The Commission in the above entitled proceeding on November 9, 1943,

suspended the operation of the filing of Advice No. 157 and the cancellation of the tariff rate sheets listed therewith.

A public hearing was held in the proceeding on December 1, 1943, in San Francisco and the matter was submitted for decision.

Western Union will negotiate an agreement with West Coast Telephone Company of California to replace an agreement between the Postal Company, and the West Coast Telephone Company of California relating to the furnishing of telegraph service in the latter company's service territory. Since the filing of Advice No. 157 and accompanying tariff rate sheets Western Union has filed with the Railroad Commission tariff schedules for toll telephone service. Consequently there now appears no good reason for further suspension of the operation of the Postal Company's filing.

O R D E R

The above entitled proceeding having been instituted on the Commission's own motion, a public hearing having been held, the matter having been submitted for decision and the Commission being duly advised,

IT IS ORDERED that the Commission's order of November 9, 1943, suspending the operation of Postal Telegraph-Cable Company's Advice No. 157 and accompanying tariff sheets, is hereby vacated and the above proceeding discontinued.

This Order shall become effective on the date hereof.

Dated at San Francisco, California, this seventh day of December, 1943.

Francis D. Havens
H. B. Smith
Arthur F. Casper
Richard L. Baker
Thomas C. Lewis
Commissioners