

Decision No. 37187

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
James J. Dulcich, Owner of the MARIPOSA  
TELEPHONE EXCHANGE, to sell to  
Charles W. Roome and Dorothy E. Roome,  
husband and wife, as joint owners.

Application no. 25951

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

By Decision No. 37038, dated May 9, 1944, the Commission authorized James J. Dulcich as seller and Charles W. Roome and Dorothy E. Roome as purchasers to enter into a conditional sales agreement whereby the Roomes would subsequently acquire the Mariposa Telephone Exchange. Under the terms of the conditional sales agreement, seller Dulcich would retain legal title for a long period of years.

By supplemental application filed with the Commission on June 23, 1944, the seller and purchasers have advised the Commission that they do not wish to take advantage of the authorization granted by Decision No. 37038 but now seek authority to effect an immediate transfer of the property on a cash sale basis. Upon obtaining authority from the Commission, the purchasers will pay five thousand dollars to seller Dulcich, at which time Dulcich will convey title to the property to the Roomes in accordance with the proposed bill of sale attached to the supplemental application. Decision No. 37038 of this Commission contains a description of the property to be transferred.

The Commission has considered Applicants' supplemental application and is of the opinion that this is not a matter in which a public hearing is required. The authority to effect the sale and purchase of the Mariposa Telephone Exchange in accordance with the supplemental application in the

above entitled proceeding will be granted. However, the action taken herein shall not be construed to be a finding of value for any purpose other than the proceeding herein involved.

WHEREFORE, IT IS ORDERED:

- (1) That the authority granted herein shall supersede the authority accorded in Decision No. 37038 in the above entitled application.
- (2) That James J. Dulcich be and he hereby is, authorized to sell and transfer on or before November 1, 1944, the telephone properties described and referred to in this application, to Charles W. Roome and Dorothy E. Roome; and Charles W. Roome and Dorothy E. Roome are hereby authorized to acquire and operate said telephone properties.
- (3) That within thirty (30) days after the transfer of the telephone properties under the authority herein granted, Charles W. Roome and Dorothy E. Roome shall file with the Railroad Commission a certified copy of the instrument of conveyance under which they acquire and hold title to said properties.
- (4) That Charles W. Roome and Dorothy E. Roome shall file with the Railroad Commission, not later than thirty (30) days after the transfer of said properties as herein authorized, a notice that they adopt the tariff schedules including rules and regulations then operative in the service territory of Mariposa Telephone Exchange.

The effective date of this Order shall be the date hereof.

Dated at San Francisco, California, this 11th day of

July, 1944.

Richard L. Lusk  
Justus F. Coe  
Francis C. Havens

Charles H. Daniels  
Commissioners