

Decision No. 38957

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

IN RE APPLICATION OF A. L. STEWART
AND FRANK J. FULLER FOR SALE OF
A. L. STEWART TELEPHONE LINES.

ORIGINAL

Application No. 27473

OPINION AND ORDER

This is an application for an order of the Railroad Commission authorizing A. L. Stewart, hereinafter referred to as Seller, to sell certain telephone properties in the vicinity of Jackson, Amador County, to Frank J. Fuller, hereinafter referred to as Buyer.

It is set forth in the application that the Seller is now and for many years has been the sole owner and manager of the A. L. Stewart Telephone Lines, a public utility serving 38 subscribers south and east of Jackson, Amador County, California.

The telephone properties comprising the system, according to the application include 35 miles of installed rural telephone lines; 43 Western Electric telephones, of which 38 are now in use by subscribers; approximately one mile of telephone wire on hand; miscellaneous insulators and poles; one set of climbers; and miscellaneous hand tools. The switching service for the system is furnished by The Pacific Telephone and Telegraph Company's Jackson exchange. The telephone plant and equipment of the Seller, as of December 31, 1944 was reported to be \$1,800. Operating revenues are reported at \$648 for 1943 and at \$630 for 1944, and the net operating income at \$483.09 in 1943 and \$455.20 in 1944.

The application shows that, because of his advanced years, Seller now desires to retire from the telephone business and has made arrangements to sell his properties to Buyer for the sum of \$1,600. The sale will be made for cash, a bill of sale being executed as set forth in Exhibit A of the application.

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It is set forth in the application that the Buyer is a young man who resides in the district served by the A. L. Stewart Telephone Lines and he plans to improve and maintain the telephone operations.

The Commission has considered the application and is of the opinion that this is not a matter in which a public hearing is necessary and that the transfer of the A. L. Stewart Telephone Lines to Frank J. Fuller should be authorized, as herein provided. The action taken herein shall not be construed to be a finding of value for any purpose other than the proceeding herein involved.

IT IS HEREBY ORDERED as follows:

1. A. L. Stewart, on or before July 31, 1946, may sell the telephone system referred to in this proceeding to Frank J. Fuller, in accordance with the terms of the bill of sale filed in this proceeding as Exhibit A.
2. Frank J. Fuller, if he acquires the telephone system referred to herein shall, prior to or concurrently with the acquisition thereof, file with the Commission a statement showing that he adopts the Seller's rates, rules and regulations on file with the Commission, and shall file with the Commission, within thirty (30) days after such acquisition, a certified copy of the bill of sale under which he holds title to said system.
3. The authority herein granted shall become effective on the date hereof.

Dated at San Francisco California, this 14 day of May 1946.

Harold Cudman

Justin F. Casner

Scott Russell

Harold Kule

Commissioners.