Decision No. 42813

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

TELELARM CORPORATION, a California Corporation, COMPLAINANT, vs. THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, a corporation, CALIFORNIA WATER AND TELEPHONE COMPANY, a corporation, and ASSOCIATED TELEPHONE COMPANY LTD. a corporation, DEFENDANTS	ORIGINAL Case No. 4982

William J. Clark, for the complainant; Marshall K. Taylor, for defendant Associated Telephone Company, Ltd.; Arthur T. George, Pillsbury, Madison & Sutro by John A. Sutro and Noel Dyer for The Pacific Telephone and Telegraph Company; Bacigalupi, Elkus & Salinger, by Claude N. Rosenberg for California Water & Telephone Company; F. V. Rhodes for the California Independent Telephone Association; Royal L. Sorenson, for California Fire Chiefs Association, protestant.

O P I N I O N

Telelarm Corporation, a California corporation, filed the above complaint, November 5, 1948, asking the Commission to require The Pacific Telephone and Telegraph Company, California Water & Telephone Company, and Associated Telephone Company, Ltd., each a public utility telephone company doing business in the State of California, to permit the use of telephone service for fire emergency calls by a mechanical device and to determine installation fees.

Public hearings were held before Commissioner Huls and Examiner Warner at Los Angeles, on March 3 and 4, 1949.

Complainant has developed an automatic fire alarm system which it desires to manufacture and install in selected communities and sell to the general public in California. The instrument requires the use of the general service telephone facilities of the defendants for its operation, which is briefly outlined as follows: Thermo detectors are installed in ceilings and other strategic locations in office buildings, stores, garages, warehouses, private homes and, in fact, in all types of buildings subject to fire hazard. When a specific temperature is reached, a low-voltage open circuit is closed by the reaction of the thermo detectors which starts a mechanical device that makes a connection to a telephone line, dials a number, plays a recording which reports the location of the fire, breaks the connection and redials and repeats the recording and continues this operation for four minutes. The telephone number dialed is a central station agency, operated by complainant, which notifies the nearest fire-fighting agency. Telephone circuits are the usual exchange and toll, general subscriber circuits maintained for two-way conversations.

Advantages of the possible use of such a device, if determined to be practicable, are obvious Night fire-watching service for downtown structures, mountain beach, desert, and ranch home property, frequently uninhabited, could be under fire surveillance, and more prompt reporting of fires in occupied and inhabited buildings and homes in cities and communities would result, also. This might affect insurance rates favorably, and would be altogether worthwhile if it could be depended upon to work, and if the price for the service were attractive.

Paramount in the consideration of this matter by the Commission have been the factors of dependability and reliability of operation, for it would not be in the public interest to allow the promiscuous attachment of mechanical devices on the individual subscriber's instruments throughout the state-wide telephone system, if such might become a hazard to the proper working of that highly sensitive, technically operated, and complicated system, nor would it be in the public interest for this Commission to order the filing of a tariff to provide for the installation of such a device if it appeared unworkable.

Unfortunately, the evidence indicates that the attachment is unworkable, in fact. The following reasons were adduced by an experienced telephone engineer.

1. The telelarm does not determine if the line with which it is associated is free or in use.
2. It does not wait for the dial tone.
3. It does not wait for a clear path through the central office equipment.
4. It does not distinguish as to whether the called number is free and therefore ready to receive the call, and,
5. If the called line is free, it does not wait until the line is answered before starting the message.

If any of these possible delays are encountered, the predetermined sequence operation of the Telelarm might be wholly inadequate, a recorded message might never be received, and a fire might not be reported.

A false sense of security would be created in the mind of the subscriber to the proposed Telelarm service, therefore, and the primary purposes of the instrument would be ineffectual.

The operations of the Telelarm also might interfere with the normal function of the telephone system at large. If a subscriber to the Telelarm service should discover the fire himself and attempt to dial the fire department or some other agency about the same time the Telelarm device commences to operate, the two sets of dial pulses would be in conflict and no signals would be sent to the fire department or other agency by either the Telelarm or the subscriber. Futhermore, should there be an incoming call to a Telelarm subscriber, the proper functioning of the Telelarm would be interfered with and not only might the incoming telephone call not be completed, but no signal would be sent from the Telelarm device to the central bureau for the fire reporting purpose. Finally in attempting to place its call to the central bureau where the Telelarm calls are intended to be received, if some defect or faulty operation were present in the device, it is possible that the telephone line in the central bureau might not be available for other purposes for an extended period.

Other valid engineering objections were testified to by witnesses for the defendants and evidence was presented indicating that although the National Board of Fire Underwriters had not approved the Telelarm, it had not disapproved it either, except that its published regulations indicate a preference for the use of closed circuits which signal an alarm when open, and the use of circuits over which only alarms of fire or alarms indicating the operation of fire-protection equipment are transmitted. The Telelarm does not comply with these recommendations.

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Accordingly, we conclude that the use of the Telelarm as proposed is not practicable. If the complainant can overcome the technical deficiencies noted herein, he may come before the Commission again for its further consideration of this matter. The question of whether the complainant is or is not a public utility, in view of the order herein will not be passed upon now.

O R D E R

Complaint as above having been filed with the Public Utilities Commission of the State of California, a public hearing having been held thereon, the matter having been duly submitted and the Commission now being fully advised in the premises, and basing its order upon the record and the findings of fact contained in the opinion which precedes this order, now, therefore,

IT IS HEREBY ORDERED that complainant's petition is denied without prejudice, and this complaint is dismissed.

Dated at Los Angeles, California, this 26th day of April, 1949.

R. J. Mitchell
Justus F. Craemer
Harold P. Hale
Kenneth Potter
Commissioners.