

Decision No. 50836

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of) THE PACIFIC TELEPHONE AND TELEGRAPH) COMPANY, a corporation, and) THE WESTERN UNION TELEGRAPH COMPANY,) a corporation, for authority to) execute an agreement amending) Contract No. 2 pertaining to the) leasing of circuits between exchange) areas, as authorized by Decision) No. 39219, dated July 19, 1946.)	Application No. 35380
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SUPPLEMENTAL OPINION AND ORDER

On June 1, 1954, the Commission issued its Decision No. 50093 in the above matter, authorizing The Pacific Telephone and Telegraph Company and The Western Union Telegraph Company to carry out the terms and conditions of the written agreement dated May 1, 1954 attached to the application as Exhibit B, provided the agreement also contained substantially the following provisions:

"This agreement shall at all times be subject to such changes or modifications by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction."

The effective date of the decision, originally ordered to be twenty days after June 1, 1954, has been extended from time to time by the Commission and is now set at December 15, 1954.

Inasmuch as the Commission has this day issued Decision ~~50836~~ ⁵⁰⁸³⁷ making among other things certain orders respecting the filing of contracts for services and/or facilities furnished by the Company at other than filed tariffs, and inasmuch as Decision No. 50093 should be modified to conform therewith;

IT IS ORDERED that Decision No. 50093 is modified to authorize The Pacific Telephone and Telegraph Company and The Western Union

Telegraph Company to carry out the terms and conditions of the written agreement dated May 1, 1954, attached to the application as Exhibit B, provided the agreement shall also contain substantially the following provision:

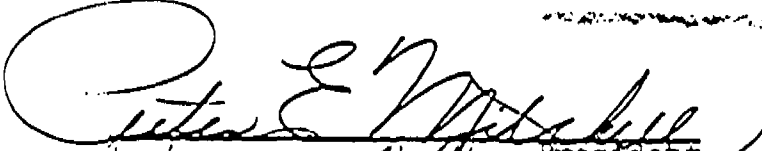
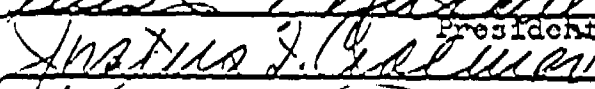
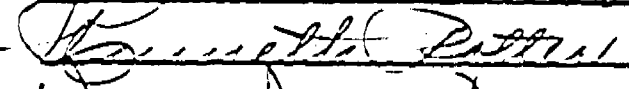
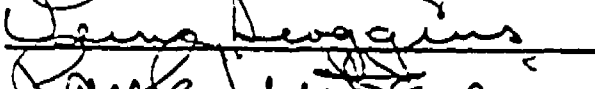

"The parties hereby agree that this contract shall be subject to such changes or modifications as may be required or authorized by any regulatory commission in the exercise of its lawful jurisdiction, and any modification, revision, renewal or extension of this contract shall so state."

IT IS HEREBY FURTHER ORDERED that said agreement may include the following provision:

"The Pacific Telephone and Telegraph Company declares that the filing of the contract herein with the Public Utilities Commission pursuant to the procedural requirements of General Order No. 96 is not to be construed as a public offering by the Company of the services or facilities hereinabove referred to."

IT IS HEREBY FURTHER ORDERED that in all other respects said Decision No. 50093, as modified by the aforementioned orders extending the effective date, shall remain unchanged, except that its effective date shall coincide with the effective date of this order, 20 days after the date hereof.

Dated at San Francisco, California, this 7th day of DECEMBER, 1954.


Peter E. Mitchell
President

James J. Gallagher

Kenneth Pittman

James Deegan

Ralph W. Stearns