

ORIGINALDecision No. 51315

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
MRS. JOSEPHINE O. STEPHENS, Owner of)	
and operating as Josephine O.)	
Hamilton Telephone Company for an)	
order authorizing the sale of her)	Application No. 36815
telephone property to Roy McDonnell)	
and Hazel McDonnell, husband and)	
wife.)	

OPINION AND ORDER

By the above-entitled application, filed on March 21, 1955, the Commission is asked to make an order authorizing Josephine O. Stephens to sell and transfer the Josephine O. Hamilton Telephone Company to Roy McDonnell and Hazel McDonnell, husband and wife.

The application shows that Josephine O. Stephens has been conducting a telephone business under the name of Josephine O. Hamilton Telephone Company, furnishing local exchange service in and around the town of Hornitos, Mariposa County, California and furnishing toll telephone service over the connecting lines of The Pacific Telephone and Telegraph Company. Josephine O. Stephens reports that the switchboard operator of the Hornitos exchange recently died and accordingly she has made arrangements to sell the properties to Roy McDonnell and Hazel McDonnell, husband and wife, for the sum of \$500 cash.

The application asserts that the purchasers are residents in the telephone service area, and that they are financially and otherwise in a position to take over and carry on the operations. As of March 7, 1955 the purchasers show assets of \$17,500.

The Commission has considered the above-entitled matter, and is of the opinion that a public hearing thereon is not necessary

and that the granting of the application as herein provided will not be adverse to the public interest. The action taken herein, however, shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

IT IS HEREBY ORDERED that Josephine O. Stephens may, on or after the effective date hereof, and on or before July 1, 1955, sell and transfer the herein described public utility property to Roy McDonnell and Hazel McDonnell subject to the following conditions:

1. The rates, rules and regulations of Josephine O. Hamilton Telephone Company, now legally on file with this Commission, shall be refiled within thirty days from the date of transfer under the name of the purchasers in accordance with procedure prescribed by General Order No. 96, or in lieu of such refiling, purchaser may file a notice of adoption of said presently filed rates, and rules and regulations. No increase in the present rates shall be made unless authorized by the Commission.
2. On or before the date of actual transfer, Josephine O. Hamilton Telephone Company shall refund all deposits which customers are entitled to have refunded; and any unrefunded deposits shall be transferred to and become the obligation for refund of the purchasers.
3. On or before the date of actual transfer of the physical properties herein authorized, the Josephine O. Hamilton Telephone Company shall transfer and deliver to Roy McDonnell and Hazel McDonnell and the latter shall receive and preserve all records, memoranda and papers pertaining to the operations of the Josephine O. Hamilton Telephone Company, as more specifically described in the Commission's General Order No. 28.
4. If the authority herein granted is exercised, the applicant shall, within sixty days thereafter, notify this Commission in writing, of the date of

such completion of the property transfer herein authorized and of its compliance with the conditions hereof.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 17th day of APRIL, 1955.

John E. ...
 President

James J. ...

Paul ...

Marion ...

Commissioners