

Decision No. 53768

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
A. A. McKENZIE, WM. D. McKENZIE and)
MARY A. COOK, dba Monticello Tele-)
phone Exchange, for authority to)
discontinue operations as a public)
utility (Sec. 851 PUC).)

Application No. 38145

Crewe, Blade and MacDonald, Robert Blade and
A. A. McKenzie for applicants.
N. D. Clark, Chairman, Board of Supervisors of
Napa County, protestant.
Eldon N. Dye and Joe Joynt for California Farm
Bureau Federation; Pillsbury, Madison and
Sutro, Arthur T. George and Dexter C. Tight
for The Pacific Telephone and Telegraph
Company; Charles M. Fryer for Fryer Cattle
Co.; Mrs. Eleanor Gunn; interested parties.
William W. Dunlop for the Commission staff.

O P I N I O N

The applicants filed this application on June 16, 1956. They seek to discontinue the telephone and telegraph service heretofore offered by them in and around Monticello in Napa County. A public hearing was held before Examiner Power at St. Helena on August 8, 1956, and the matter was submitted.

The telephone exchange and the town of Monticello lie in the Berryessa Valley. The United States Government's Monticello project dam has been constructed below the town. This will result in the conversion of the valley into a reservoir.

In connection with the project the Federal Government has been maintaining an eminent domain proceeding, or several of them, in the United States District Court at Sacramento. It appeared from the evidence at the hearing that a great many of those whose property will be inundated had already been compensated.

A contractor has been employed by the Federal Bureau of Reclamation to remove condemned buildings. These include the telephone exchange and its equipment. This contractor has until the 9th of November 1956 to complete the removals.

After the clearing contractor finishes his work two groups desiring telephone service will remain. First, some cattle ranchers have headquarters located above the water line and others will move their headquarters to higher ground and continue to operate. Second, a number of contractors will be operating in the area for a considerable period until the dam and its associated and incidental works are completed.

It will be physically possible to connect most members of these two groups to either the Napa (via St. Helena) or Lower Lake exchanges of The Pacific Telephone and Telegraph Company. Only time will reveal whether this will be practical or satisfactory. It appears likely to involve substantial expense.

If the application is authorized, the record shows The Pacific Telephone and Telegraph Company plans to provide toll station service to the Spanish Flat area on the west side of Monticello Reservoir.

The authority sought by the application will be granted. The applicants will soon be deprived of the means of rendering their certificated service. Such deprivation will be without the fault of the utility. Under the existing circumstances it is clear that public convenience and necessity no longer require the service heretofore rendered by applicants in their Monticello Telephone Exchange. The circumstances further require that the following order be made effective as of its date.

O R D E R

This application having been filed, public hearing having been held and the matter having been submitted and now being ready for decision,

IT IS ORDERED:

1. That A. A. McKenzie, Wm. D. McKenzie and Mary A. Cook doing business as Monticello Telephone Exchange may, on or after the effective date of this order and on ten days' written notice to the Commission and ten days' notice by mail to currently active subscribers, discontinue and abandon telephone and telegraph service within the Monticello Telephone Exchange's exchange area.

2. On or before the date of actual discontinuance of service, applicants shall refund all deposits which customers are entitled to have refunded.

3. If the authority herein granted is exercised, the applicants are authorized to cancel and withdraw all their filed tariffs including toll and foreign exchange service agreements with connecting companies and shall, within fifteen days after the actual discontinuance of service, notify this Commission in writing, of the date of such completion of actual discontinuance of service and of their compliance with the conditions hereof.

4. The authorization herein granted will expire if not exercised within one year from the date hereof.

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

Dated at San Francisco, California, this 18th day
of SEPTEMBER, 1956.

John E. McNeill
President

Justus S. Cassel

Raymond L. Winterstein

William H. ...

B. J. ...
Commissioners