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Decision No. 64606

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of S & S CONSTRUCTION CO., INC., a Kansas Corporation, for a ruling of the Commission relative to the construction of and the leasing to The United States Air Force of a certain underground communication system for Beale Air Force Base, which project is officially known as "BEALE MISSILE COMPLEX", as to whether the Commission has jurisdiction of (1) the construction, maintenance and leasing of same, and (2) the authority to order a Common Carrier to integrate same appropriately, and (3) all things incident thereto.

Application No. 42575

ORDER OF DISMISSAL

An application as above entitled having been filed herein,
and

It appearing therefrom that the United States Air Force has invited applicant to submit a bid for the construction, maintenance and leasing of a certain communication system for Beale Air Force Base, and

It further appearing that applicant, a non-common carrier engaged as a contractor in the construction of pole lines, has requested this Commission to make certain jurisdictional determinations in connection with the construction of such system, and

The Commission heretofore not having assumed and not now assuming jurisdiction over construction and maintenance by a contractor, which is not a common carrier public utility "telephone corporation" within the meaning of the California Public Utilities

Code, of communication facilities to be operated by the United States Government solely for private governmental use, and

The Commission being of the opinion that interconnection of such communication facilities with those of a common carrier public utility telephone corporation would be legally possible,

Therefore, IT IS ORDERED that Application No. 42575 is dismissed.

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

Dated at San Francisco, California, this 23rd day of August, 1960.

Cecil R. Payne
President

Marshall K. ...

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Commissioners