

Decision No. 65432

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension and )  
 Investigation on the Commission's Own )  
 Motion of Tariffs Covering Exchange )  
 Area Expansion of the Foresthill )  
 Exchange of Foresthill Telephone Co., )  
 Inc. )

Case No. 7615  
 (Filed May 7, 1963)

Ralph Hoepfer, for respondent.  
 The Pacific Telephone and Telegraph  
 Company, by Arthur T. George and Chas. B.  
 Renfrew, protestant.  
 Kaiser Engineers Division of Henry J.  
 Kaiser Company, by Kenneth M. Robinson;  
 California Independent Telephone  
 Association, by Neal C. Hasbrook;  
 interested parties.  
J. E. Brown, for the Commission staff.

O P I N I O N

Public hearing in this matter was held before Commissioner Mitchell and Examiner Emerson on May 15 and 16, 1963, in San Francisco. The matter is submitted and ready for decision.

The record shows that Foresthill Telephone Co., Inc., on April 9, 1963, under its Advice Letter No. 21, filed revised tariff sheets reflecting a proposed expansion of its Foresthill exchange so as to include therein an additional and presently unserved area of approximately 250 square miles lying to the north and east of said exchange. The filing was temporarily suspended by an order of the Commission issued May 7, 1963.

Foresthill's filing was engendered by an inquiry respecting availability of telephone service for construction camps and other construction communications purposes needed in connection with the development of the Middle Fork of the American River Project of the Placer County Water Agency. It appears that such inquiry, originating from Kaiser Engineers, on behalf of the subsequently

successful bidder on the construction project, consisted of requests for cost information on the installation of a communications system for the project directed to The Pacific Telephone and Telegraph Company on January 23, 1963, and to Foresthill Telephone Co., Inc., on February 4, 1963. Tentative construction estimates were received from both telephone companies during the week of February 18, 1963.

Bid opening date for the Middle Fork American River Project was March 5, 1963. Thereafter, a series of meetings respecting the project's communications needs were held between Kaiser Engineers and the two telephone companies between bid opening date and contract signing date. The successful bidder on the project was American River Constructors, a joint venture, of which Kaiser Engineers is a part. The project desires private line, public toll and semi-public toll telephone service and has no present or foreseeable desire for exchange telephone service. Of paramount concern to the project, at this point, is the immediate need for communications service; initial service to the French Meadows-Hell Hole complex being needed by June 1, 1963, and the overall final-system service being needed by July 1, 1963.

Foresthill's proposal, in brief, was to supply the desired service by means of micro-wave equipment but such service could not be made available for a period of time which it estimates may be anywhere from 90 days to as long as 180 days after actually commencing its work. The project cannot endure such a delay, due to the magnitude of the work involved and the necessity of utilizing every possible day for construction before winter weather sets in and isolates the project areas.

Pacific Telephone's proposal is to provide immediate service, within fifteen days after start of field work, by means

of a suitable pair of conductors laid on top of the ground for a distance of about 21 miles from its existing lines in its Georgetown exchange to the French Meadows-Kell Hole complex and concurrently to start burying a 25-pair cable, substantially the same distance, so as to provide the final-system service within 45 days after start of work. Although this proposal will not meet the target dates of June 1 and July 1, 1963, it is months earlier than Foresthill's possible completion date.

The record contains no evidence that respondent Foresthill is in receipt of an application for exchange telephone service from any person in the territory covered by its April 9, 1963, filing, nor has respondent demonstrated that the public interest requires that it hold itself out to provide such service prior to public need therefor.

In view of the evidence respecting the urgency of supplying the desired service at the earliest possible date and respondent's admitted inability to provide the service either when needed or reasonably timely thereto, the Commission finds that respondent is in fact unable presently to provide the exchange telephone service which by its April 9, 1963, filing it would purport to provide. In view of such situation, the Commission further finds that the suspension of said filing should now be made permanent without prejudice, however, to a future filing at such time as respondent may demonstrate that there is public need or desire for exchange service in the area and that respondent is fully capable of supplying the same.

O R D E R

IT IS ORDERED that Tariff Sheets Nos. 223-T, 229-T and 230-T of Foresthill Telephone Co., Inc., are hereby permanently suspended without prejudice as hereinabove stated.

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

Dated at San Francisco, California, this 21<sup>st</sup> day of MAY, 1963.

*George T. Hoover*  
President

*Robert E. Fitch*

*Frederick B. Hallock*

*William W. Bennett*

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.  
Commissioners