

ORIGINAL

Decision No. 76322

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of THE WESTERN UNION TELEGRAPH)
 COMPANY for an order exempting it)
 from regulation under Article 5,)
 Chapter 4, Part 1, Division 1, of)
 the Public Utilities Code, pur-)
 suant to Section 829 of the Pub-)
 lic Utilities Code.)

Application No. 51374
 Filed September 17, 1969

OPINION AND ORDER

The Western Union Telegraph Company (hereinafter referred to as applicant) seeks an order pursuant to Section 829 of the Public Utilities Code exempting it from the requirements of Article 5, Chapter 4 of Part 1, Division 1 of the Public Utilities Code.

Generally speaking that article, comprising Sections 816 through 830 of the Public Utilities Code requires authorization from this Commission before a utility may issue stocks, bonds, or undertake certain other types of financial obligations. It also limits the use of the proceeds of such transactions, provides for certain procedures before the Commission, and creates sanctions and penalties for noncompliance.

Applicant alleges that it owns, leases and operates telegraph lines, microwave and computer facilities used in offering for-hire communication services throughout the United States.

Applicant asserts that less than 2.37 percent of its 1968 gross revenues of \$360,094,805 resulted from California intrastate business. It alleges that 11 percent of its approximately 26,000 employees are located in California, and that only an inconsequential

fraction of the local employees are exclusively engaged in the California intrastate business of applicant. It is further alleged that less than 12.85 percent of the total book value of applicant's assets is represented by property located in California, and that the local property is dedicated to both intrastate and interstate service. It is also alleged that the issuance and sale of applicant's securities have been and are effected wholly outside the State of California.

The application appeared on the Commission's Daily Calendar of September 18, 1969; no protests have been received. No public hearing appears necessary.

The Commission finds that the application of Article 5, Chapter 4 of Part 1, Division 1 of the Public Utilities Code to applicant is no longer necessary in the public interest.

O R D E R

IT IS HEREBY ORDERED that The Western Union Telegraph Company is hereby exempted from the provisions of Article 5, Chapter 4, Part 1, Division 1 of the California Public Utilities Code.

The effective date of this order is the date hereof.

Dated at Los Angeles, California, this 21st
day of OCTOBER, 1969.

William Symons, Jr.
President
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Commissioners