

Decision No. 86566

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE WESTERN )  
 UNION TELEGRAPH COMPANY for )  
 an order exempting it from )  
 regulation under Section 851 )  
 of the Public Utilities Code, )  
 pursuant to Section 853 of )  
 the Public Utilities Code. )

Application No. 56806  
 (Filed October 12, 1976)

O P I N I O N

Pursuant to Section 853 of the Public Utilities Code, The Western Union Telegraph Company requests exemption from the encumbrance, transfer or other disposition of utility property provisions (Section 851) of said code.

Applicant states that it is a New York corporation which owns, leases and operates telegraph lines, microwave and computer facilities, real property, buildings, and other equipment used in the conduct of its business at locations throughout the United States of America.

After consideration of the verified application, we find that:

1. Applicant is a corporation organized under the laws of the State of New York.
2. Applicant operates as a public utility telegraph corporation subject to the jurisdiction of this Commission.
3. By virtue of Decision No. 76322, dated October 21, 1969, in Application No. 51374, applicant is exempt from the stocks and security transactions (Sections 816-830) provisions of the Public Utilities Code.

4. Only 2.48% of applicant's 1975 gross revenues resulted from purely intrastate business done in the State of California.
5. Of applicant's approximately 12,200 employees only 9.3% are located in California.
6. Inasmuch as the functions of applicant's employees are equally applicable to both interstate and intrastate business, only an inconsequential number thereof are engaged exclusively in intrastate business in California.
7. Only 12.4% of the book value of applicant's property applies to California property.
8. Most, if not all, of applicant's property located in California is used for both interstate and intrastate business.
9. The application of Section 851 of the Public Utilities Code to The Western Union Telegraph Company is not necessary in the public interest.
10. There is no known opposition and there is no reason to delay granting the relief requested.

On the basis of the foregoing findings we conclude that the application should be granted, and that the effective date of the order should be the date on which it is signed. A public hearing is not necessary.

ORDER

IT IS ORDERED that The Western Union Telegraph Company is hereby exempted from the provisions of Section 851 of the Public Utilities Code.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 20<sup>th</sup> day of OCTOBER, 1976.

[Signature]  
President  
William J. Lyons Jr.  
[Signature]  
[Signature]  
Robert Batistich  
Commissioners