

Chapter 758

Utility Rights of Way and Territory Allocation

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CASE CITATIONS: Portland Gen. Elec. Co. v. United States, (1960) 189 F Supp 290.

ATTY. GEN. OPINIONS: Franchise for coaxial television cable, 1952-54, p 153.

LAW REVIEW CITATIONS: 1 WLJ 203.

758.010

NOTES OF DECISIONS

A subsequent grantee of a franchise to use a public highway was required to construct its system in such manner as not unduly to interfere with the activities of the prior grantee. Yamhill County Mut. Tel. Co. v. Yamhill Elec. Co., (1924) 111 Or 57, 224 P 1081, 33 ALR 373.

FURTHER CITATIONS: Northwestern Elec. Co. v. Zimmerman, (1913) 67 Or 150, 135 P 330; Postal Tel. Co. v. State Hwy. Comm., (1921) 276 Fed 958.

ATTY. GEN. OPINIONS: County courts designating locations of electric power lines along county roads, 1944-46, p 210; whether an electric power company is entitled to lay its lines over and across the bed of a navigable river without charge, 1944-46, p 232; public road as encompassing "gateway" in OCLA.100-1501 [ORS 376.115], 1950-52, p 334; franchise for coaxial television cable, 1954-56, p 153; authority for municipal utility transmission line over a river, 1962-64, p 24.

758.015

LAW REVIEW CITATIONS: 46 OLR 133, 145.

758.020

ATTY. GEN. OPINIONS: Franchise for coaxial television cable, 1952-54, p 153.

758.035

NOTES OF DECISIONS

The power to regulate included the power to order a physical connection between two telephone systems. Pacific Tel. & Tel. Co. v. Wright-Dickenson Hotel Co., (1914) 214 Fed 666.

Requiring the making of physical connection between two telephone systems did not constitute a taking of the property of either. Id.

The courts would not enjoin a telephone company from withdrawing a connection between its lines and a private telephone system until the commission had passed upon the controversy. First Nat. Bank v. Pac. Tel. & Tel. Co., (1916) 81 Or 307, 159 P 561.

758.400 to 758.475

ATTY. GEN. OPINIONS: Constitutionality, as to people's utility districts, of providing for allocation of service areas, 1960-62, p 199; telephone cooperative, which has been allocated an area, as a public utility, 1966-68, p 188.