

File No. 11237. Continued.

CORRESPONDENCE.

8895 In reply to this I will state that the agreement covering the use of these four ducts was made by the Maryland Telephone and Telegraph Company when in applying for conduit construction on Hanover Street that Company, in consideration of our constructing this conduit, guaranteed the rental of nine ducts, and they paid this rental up to sometime ago when, through an error it was discovered that in the shifting between the telephone and electric light accounts of the Maryland Telephone & Telegraph Company, the Chief Clerk of this Commission had failed to re-enter the rental of these four ducts when the property of the Maryland Tel. & Tel. Company, carried under the electric light account was transferred to the Consolidated Gas Electric Light & Power Company.

8896 So far as this Commission is concerned the only franchise which exists by virtue of which your company occupies the City conduits is that which originally was held by the Maryland Tel. & Tel. Company, and under the operations conveyed to that Company by this franchise the agreement to use these nine ducts on Hanover Street was made.

8897 We have no knowledge of the Maryland Telephone Company of Baltimore City having secured any franchise and have assumed that it was operating under the franchises heretofore owned by the Maryland Tel. & Tel. Company. Consequently, unless the Maryland Telephone Company of Baltimore City has secured a new franchise for the use of the City conduits, it, in all respects has assumed, so far as this Commission is concerned, all the obligations of the Maryland Tel. & Tel. Company.

If I am not correct in my statement of facts as to franchises of the Maryland Telephone Company of Baltimore City, I would be glad if you correct me.

Very truly yours,

(Signed) Charles E. Phelps, Jr.,

Chief Engineer.