

# SENATE . . . . No. 563

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Mr. Garst moves that this bill be substituted, by amendment, for the report of the committee on Mercantile Affairs, leave to withdraw, on the petition of Julius Garst, accompanied by bill, Senate, No. 154.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Thirteen.

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### AN ACT

To authorize in Certain Cases the Connecting of a Private Telephone with the Line of a Telephone Company.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. In case any subscriber of a telephone com-  
2 pany desires an extension telephone or telephones installed  
3 in connection with the main telephone supplied by the  
4 company, the company may furnish and install such ex-  
5 tension telephone or telephones and shall be entitled to  
6 receive compensation therefor on the basis of cost, plus an  
7 additional annual charge of not more than twenty-five  
8 per cent of the cost of the telephone or telephones including  
9 the cost of installation, such additional charge to cover  
10 depreciation and cost of maintenance other than damage  
11 due to avoidable injury. In case of avoidable damage the

12 subscriber shall pay the cost of reparation. The annual  
13 charge shall be paid in equal monthly installments. In  
14 case any subscriber desires to discontinue the use of an  
15 extension telephone that has been installed by the company  
16 the subscriber shall pay the cost of removal.

1 SECTION 2. In the event of the telephone company not  
2 electing to comply with the provisions of section one of  
3 this act, within ninety days after being requested in writing  
4 to do so, any subscriber shall have the right to install such  
5 extension telephone or telephones and connect the same  
6 with the telephone line of the company whose subscriber  
7 he is: *provided*, that the subscriber's telephone conforms  
8 to the standard hereinafter mentioned; and *provided, fur-*  
9 *ther*, that no expense shall be occasioned thereby to the  
10 company. The expense of maintaining such extension  
11 telephones shall be borne by the subscriber, and the tele-  
12 phone company shall not be entitled to rental or other  
13 charges for the subscriber's use thereof.

1 SECTION 3. It shall be the duty of the highway com-  
2 mission to prescribe a standard to which private telephones,  
3 intended to add to the convenience of a telephone sub-  
4 scriber in using the line of a telephone company, shall  
5 conform; and in case such private telephones do not con-  
6 form to said standard, the subscriber shall not have the  
7 right to connect the private telephone with the line of the  
8 telephone company.

1 SECTION 4. In case it shall be found by the highway  
2 commission, after a public hearing of which due notice shall  
3 be given, that the connecting of private telephones with the  
4 line of a telephone company causes such a loss of revenue  
5 to the company as prevents it from paying reasonable

6 dividends to its stockholders, no connection of a private  
7 telephone with the line of such company shall thereafter  
8 be made and any connection already made shall be dis-  
9 continued.

1 SECTION 5. Upon request to a telephone company by a  
2 limited service subscriber who shares the use of the com-  
3 pany's telephones with one or more persons, the company  
4 shall also publish in its directory the name or names of the  
5 other person or persons and shall not charge therefor more  
6 than the cost of publication plus twenty-five per cent.  
7 annually in equal monthly installments. In case a telephone  
8 company installs electric bells at the request of a subscriber,  
9 it shall not charge therefor more than the cost of installation  
10 plus twenty-five per cent, which percentage shall be paid  
11 annually in equal monthly installments.

1 SECTION 6. This act shall take effect upon its passage.

