

IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE DISTRICT OF OREGON.

THE UNITED STATES OF AMERICA, PETITIONER,

VS.

AMERICAN TELEPHONE AND TELEGRAPH COMPANY, ET AL.,
DEFENDANT.

Equity No. 6082.

ORDER MODIFYING DECREE.

THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, a corporation, one of the defendants in the above entitled action (herein called Pacific Company), having filed herein on the 31st day of July, 1918, its application for a modification of the decree entered herein on the 26th day of March, 1914, so as to permit the consolidation of the exchanges owned or controlled by Home Telephone and Telegraph Company, a corporation. (herein called Home Company) in Portland, Albany, Corvallis and Oregon City, all in the State of Oregon, with the exchanges and property therein of the Pacific Company, and it appearing that it is for the best interests of the inhabitants of Portland, Albany, Corvallis and Oregon City that there be but one telephone system therein;

IT IS ORDERED that the decree entered herein on the 26th day of March, 1914, be and the same is hereby so modified as to permit the acquisition by the Pacific Company of the exchanges owned and controlled by the Home Company at Portland, Albany, Corvallis and Oregon City and the consolidation of the same with its own exchanges in said cities.

This modification of said decree is granted upon the express condition that the Pacific Company enter into arrangements with the Northwestern Long Distance Telephone and Telegraph Company (herein called Northwestern Company), assuring to that Company long distance toll connections at each of the said four points, whereby the patrons of the Pacific Company, on the one hand, and the patrons of the Northwestern Company, on the other, may interchange communications at rates and under other conditions substantially similar to those under which patrons of the Pacific Company obtain corresponding service over the long distance lines of the Pacific Company, as provided for in paragraphs numbered Eighth and Ninth of said decree with respect to calls originating at Seattle and Tacoma, and whereby a patron of the Pacific Company at any one of said points desiring to use long distance lines shall be connected with the station of the recording operator of the company whose lines he specifies, but if he expresses no choice, he shall be connected with the recording operator of the Pacific Company, who shall ascertain the company of his choice and the call shall be completed over the lines of that company. The Northwestern Company may have an employee so equipped and stationed that she can hear all communications of the recording operator of the Pacific Company at any of said exchanges in handling calls. Neither the Pacific Company nor any of its employees shall connect any of its patrons with its own long distance lines or with those of the Northwestern Company except in accordance with the instructions given in the manner aforesaid. The Pacific Company, the other associate companies mentioned in said decree, and the American Telephone and Telegraph Company, and their respective officers, directors, managers, agents and employees are hereby perpetually restrained and enjoined from refusing or failing in any respect to maintain such arrangements after the same have been established and from discriminating in any way whatsoever against the Northwestern Company in respect of said communications.

IT IS FURTHER ORDERED that this order shall not be construed to affect in any other respect the decree entered herein on the 26th day of March, 1914, but the same shall be and remain in full force and effect.

Dated - Portland, Oregon, January 9, 1919.

CHAS. E. WOLVERTON,
Judge.

Filed January 9, 1919. G. H. MARSH, *Clerk.*