

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC GAS AND ELECTRIC COMPANY,)
a corporation, for an order of the)
Railroad Commission of the State of)
California, fixing and establishing)
the terms and conditions in accord-)
ance with which applicant shall ex-)
tend its existing water distribution)
system in the City of Stockton to)
the manufacturing plant of the Na-)
tional Paper Products Company.)

Application No. 5069.

ORIGINAL

CITY OF STOCKTON, a municipal corpor-)
ation,)

Plaintiff,)

vs.)

Case No. 1414.

PACIFIC GAS AND ELECTRIC COMPANY,)
a corporation,)

Defendant.)

Louitt & Stewart, by Gordon A. Stewart,
for National Paper Products Company.

M. P. Shaughnessy, City Attorney, for
City of Stockton.

C. P. Cutten and R. W. Duval, by R. W.
Duval, for Pacific Gas and Electric
Company.

MARTIN, Commissioner:

OPINION AND ORDER ON REHEARING

In the above entitled proceeding there were presented for the Commission's determination the just and reasonable terms and conditions in accordance with which the Pacific Gas and Electric Company should extend its water distribution system in the City of Stockton to furnish service to the National Paper Products

Company for commercial use and to afford adequate fire protection service, and also to supply the residents of the Yosemite Subdivision with water for domestic use. After a hearing of the above entitled matters the Commission on July 21, 1920, issued Decision No. 7882, in which the Pacific Gas and Electric Company was directed to install, under certain conditions, an extension of an 8 inch water main to the plant of the National Paper Products Company, and also to construct a system of distribution pipes in the Yosemite Subdivision.

On August 12, 1920, the National Paper Products Company filed a petition for rehearing, in which the Commission was asked to modify its decision. On February 28, 1921, the City of Stockton filed a petition for rehearing in which it requested permission to intervene in the application of the National Paper Products Company for a rehearing.

A hearing upon the above petition for rehearing was held at Stockton on February 6, 1922, at which hearing evidence was presented by the parties and the proceedings were resubmitted for decision.

The decision was withheld in these proceedings, as the City of Stockton had filed an application requesting that the Commission fix the just compensation to be paid for the water system owned by Pacific Gas and Electric Company and supplying consumers in and in the vicinity of the City, and it was realized that after the acquisition of the plant the City could make any extensions which were considered desirable without regard to the question as to whether or not such extensions would be compensatory.

A decision in Application No. 7231 fixing the just compensation to be paid for the water system was rendered November 22, 1922. Thereafter a petition for rehearing was filed by Pacific Gas and Electric Company, and an order denying rehearing was issued by the Commission on January 17, 1923. The City of Stockton did

not proceed with the acquisition of the water system and apparently does not deem it advisable to take the steps necessary to that end, therefore the Commission should now render its decision in Application No. 5069 and Case No. 1414.

After a careful consideration of all the testimony presented at the hearings in the above entitled matters, the conclusion has been reached that no new evidence was submitted at the rehearing which would justify the Commission in changing or modifying its Decision No. 7881.

The following form of order is submitted:

O R D E R

Rehearing having been held in the above entitled proceedings, the matter having been submitted and being now ready for final decision,

IT IS HEREBY ORDERED, for the reasons set out in the preceding opinion, that this Commission's Decision No. 7881, dated July 21, 1920, is hereby affirmed and declared to be in full force and effect.

The effective date of this order is hereby fixed as twenty (20) days from the date hereof.

The foregoing opinion and order is hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 25th day of October, 1924.

C. L. Seavey
H. B. Bunnick
Dwight Martin

Commissioners.