

ORIGINAL

Decision No. N 253

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
SAN DIEGO ELECTRIC RAILWAY COMPANY
for modification and change of the
terms and conditions of an agree-
ment between the San Diego Electric
Railway Company and the San Diego
Consolidated Gas and Electric Company
for the purchase of electric power.

Application No. 10393.

In the matter of the investigation on
the Commission's own motion into the
reasonableness of the rates, terms and
conditions under which electric energy
is supplied to San Diego Electric Rail-
way Company by San Diego Consolidated
Gas and Electric Company.

Case No. 2035.

R. G. Dilworth, E. J. Burns and S. E. Mason,
for the San Diego Electric Railway Company.

Chickering and Gregory, by Allan L. Chickering
and Evan Williams, for the San Diego
Consolidated Gas and Electric Company.

BY THE COMMISSION:

O P I N I O N

In August, 1924, San Diego Electric Railway Company filed with the Railroad Commission an application for a modification of the terms and conditions of an agreement under which it was purchasing electric power from San Diego Consolidated Gas and Electric Company.

To eliminate any question of legality, under the provision of the Public Utilities Act which requires that a complaint against rates be signed by 25 consumers, the Commission on its

own motion instituted an investigation into the rate in question, to which was assigned Case No. 2035. The two matters were consolidated and a public hearing held before Examiner Williams, at which considerable evidence in support of both sides of the controversy was introduced. The parties later settled their differences by negotiation, with the result that a contract signed by both has been filed for the approval of the Commission and it is understood that such approval, if given, will close the proceeding.

The terms of this agreement have been carefully examined and the rate proposed compared with similar rates of other utilities and considered in the light of evidence already introduced regarding the cost of service. From this consideration, it appears that under present conditions the rate agreed upon is reasonable. The contract is therefore approved and the present proceeding dismissed.

O R D E R

San Diego Electric Railway Company, having applied to the Railroad Commission for a modification and change of the terms and conditions of an agreement between the San Diego Electric Railway Company and the San Diego Consolidated Gas and Electric Company for the purchase of electric power, and the Railroad Commission having on its own motion instituted an investigation into the reasonableness of the rates, terms and conditions under which electric energy is supplied to San Diego Electric Railway Company by San Diego Consolidated Gas and Electric Company, the two matters having been consolidated, public hearings having been held, and the matter having been submitted,

IT IS HEREBY ORDERED that:

(1) The contract entered into by and between San Diego Consolidated Gas and Electric Company and San Diego Electric Railway Company under date of January 1, 1925, be and it is hereby approved, subject to such modifications as the Railroad Commission may hereafter direct in the exercise of its jurisdiction.

(2) The above entitled matters, Application No. 10393 of San Diego Electric Railway Company, and Case No. 2035, an investigation by the Railroad Commission upon its own motion, be and they are dismissed without prejudice.

(3) The approval herein given shall be effective from the date of this order.

Dated at San Francisco, California, this 3rd day
of August, 1925.

H. V. B. B. B.

George W. Squires

Leon C. White
Commissioners.