

DEM

Decision No. 17037.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
JOHN A. STERLING and GEORGE A. SMITH)	Application No. 12883
for a certificate of public convenience)	
and necessity to exercise franchise)	
rights and to fix rates.)	

John A. Sterling and George A. Smith,
in propria persona.

BY THE COMMISSION:

ORIGINAL

O P I N I O N

John A. Sterling and George A. Smith in this application ask permission to exercise rights and privileges granted by Ordinance No. 160 adopted April 7, 1924 by the Board of Supervisors of Calaveras County, and further ask the Commission to fix electric rates.

Applicants have, at a cost of about \$1,500.00, constructed a small electric power plant and intend to distribute electric energy in West Point and vicinity, Calaveras County. Applicants' electric energy is produced by a small hydroelectric plant, with a capacity of 9000 watts. It is of record that applicants have also acquired and installed a small steam plant as an auxiliary. The plant was placed in operation some time ago and applicants now have 14 electric consumers.

While the franchise (Ordinance #160) authorizes applicants to construct, maintain and operate an electrical distributing system throughout West Point Voting Precinct, applicants have requested that the Commission at this time grant them permission to exercise the rights and privileges granted by said franchise only to the ex-

tent necessary to construct, maintain and operate an electric plant for the purpose of supplying electric energy to residents of West Point and vicinity.

The testimony shows that applicants have expended \$53.00 to acquire the rights granted by Ordinance No. 160.

Applicants propose to charge a flat rate of \$1.25 per month based on 40 watt lamps for one light, 25¢ for the second light and 15¢ each for any additional lights. These rates appear reasonable and applicants may charge the same until further ordered by the Commission.

O R D E R

John A. Sterling and George A. Smith having applied to the Railroad Commission for permission to construct, maintain and operate an electric plant and for an order establishing rates, a public hearing having been held before Examiner Fankhauser,

IT IS HEREBY FOUND that the rates herein established are just and reasonable rates; and basing its order upon the foregoing finding of fact and any other statements of facts contained in the opinion which precedes this order;

IT IS HEREBY ORDERED as follows:-

1. Public convenience and necessity require and will require John A. Sterling and George A. Smith to exercise the rights and privileges obtained by Ordinance No. 160, adopted on April 7, 1924 by the Board of Supervisors of Calaveras County to the extent necessary to construct, maintain and operate the electric plant at West Point referred to in the opinion which precedes this order, and to sell electric energy to residents of West Point and the immediate vicinity, provided that they, their successors and assigns, will never claim a value for said rights and privileges in excess of
Dollars
fifty-three (\$53.), the amount paid to the grantor of said

rights and privileges. (Ordinance No. 160)

2. John A. Sterling and George A. Smith are hereby authorized and directed to file with the Railroad Commission on or after the effective date of this order the following schedule of rates to be charged for electric energy delivered to consumers on and after the date of filing the following rates:-

Flat Rates

- (a) \$1.25 per month for one light on basis of 40 watt lamps
- (b) \$0.25 per month for the second light on basis of 40 watt lamps.
- (c) \$0.15 per month for each and every additional light, on basis of 40 watt lamps.

3. John A. Sterling and George A. Smith are hereby directed to file with the Railroad Commission for its approval, within thirty days after the effective date hereof, rules and regulations governing the service to its consumers, said rules and regulations to become effective upon their approval and acceptance by the Commission.

For all purposes not otherwise specified herein, the effective date of this order shall be twenty (20) days from and after the date hereof.

DATED at San Francisco, California, this 2^d day of

July, 1926.

H. A. Brundage
C. J. ...
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Commissioners.