

Decision No. 18295

TWINING

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Vallejo Electric Light and Power Co.  
(a corporation)

Complainant,

vs.

Great Western Power Company of  
California (a corporation)

Defendant.

Case No. 1643.

Frank R. Devlin, for Complainant.  
Chaffee E. Hall, for Defendant.

LOUTTIT, COMMISSIONER:

SUPPLEMENTAL OPINION AND ORDER

On July 12, 1922, the Railroad Commission of the State of California made its Order (Decision No. 10700) in the above numbered proceeding, amending and modifying its order of July 18th, 1912 (Decision No. 107), granting a Certificate of Public Convenience and Necessity to Great Western Power Company of California, and its order of July 3, 1917 (Decision No. 4438), granting a Certificate of Public Convenience and Necessity to Vallejo Electric Light and Power Company.

On March 3, 1927, Great Western Power Company of California filed its petition for modification of said Decision No. 10700, asking the Commission to authorize it to construct electric distribution facilities and render electric service within that portion of the territory involved in Decision No. 10700 included within a radius of 4000 feet from the north bridgehead of Carquinez Bridge.

Hearings were held at San Francisco on April 15th and 22nd, testimony being introduced and the matter submitted for decision.

It appears from the evidence that neither Great Western Power Company of California nor Vallejo Electric Light and Power Company was, on the date this matter again came before the Commission, in substantially a different position with respect to their facilities to render service within the area in question than they occupied when Decision No. 10700 was rendered, except as to certain lines which were constructed by Great Western Power Company of California under stipulation entered into with Vallejo Electric Light and Power Company, which can not properly be considered in the present matter.

It also appears that conditions under which electric service would be rendered in the area in question are no different than those which were to have been expected when Decision No. 10700 was rendered, except as may result from a greater development which may now be anticipated in view of the construction of Carquinez Bridge.

It is felt that where this Commission has determined that public convenience and necessity require service from a certain utility, or has prescribed certain conditions under which a utility may serve within an area, such finding should not be disturbed unless physical or economic conditions have materially changed. No such showing has been made and the order will provide for denial.

Under Decision No. 10700 the area which Great Western Power Company of California has asked to serve was allotted to Vallejo Electric Light and Power Company, except that Great Western Power Company of California was permitted to serve from certain distribution facilities within the area.

I recommend the following form of order:

O R D E R

Great Western Power Company of California having asked the Commission to modify and amend its order in Decision No. 10700 in such manner that Great Western Power Company of California may serve any consumers desiring service in that portion of the territory described in Decision No. 4438, included within a radius of 4000 feet from the north bridgehead of Carquinez Bridge, and no cause appearing for the modification of said Opinion and Order,

IT IS HEREBY ORDERED that the petition of Great Western Power Company of California be and the same is hereby denied.

The foregoing Opinion and Order are 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 29<sup>th</sup> day of April, 1927.

[Signature]  
[Signature]  
[Signature]  
Leon [Signature]  
[Signature]  
Commissioners.