

Decision No. 18861.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Vallejo Electric Light and Power
Company, (a corporation),

Complainant,

Vs.

Great Western Power Company of
California, (a corporation),

Defendant.

ORIGINAL

Case No. 2371.

Devlin and Brookman, by Frank R. Devlin,
for the Complainant.
Chaffee E. Hall, for the Defendant.

LOUTTIT, COMMISSIONER:

O P I N I O N

Vallejo Electric Light and Power Company, complainant, asks the Commission to make its order directing Great Western Power Company of California to cease and desist from rendering electric service to the Toll House used in connection with the operation of Carquinez Bridge owned and operated by the American Toll Bridge Company.

A hearing in this matter was held at San Francisco on August 18, 1927.

This Commission has heretofore established the territorial limits within which Vallejo Electric Light and Power Company may serve and has limited the extent to which Great Western Power Company of California may serve within said ter-

ritorial limits. One of the boundaries of the territory of Vallejo Company is along the channel of Carquinez Straits across which the Carquinez Bridge has recently been built. It is of record that the Vallejo Company is alone authorized to serve in the immediate vicinity of the north abutment of Carquinez Bridge, and that it is without authority to serve in the vicinity of the south abutment of said bridge. No question has been raised as to the right of Great Western Power Company to serve in the vicinity of the south abutment of Carquinez Bridge, and for the purpose of this proceeding it may be assumed that Great Western Power Company has such right.

The Toll House, service to which is under dispute in this proceeding, is located approximately 200 feet north of said north abutment, both Toll House and Carquinez Bridge being the property of American Toll Bridge Company.

Although service to the bridge proper is not made an issue in this proceeding, complainant's position is that defendant has no right to render any service used on that portion of the bridge situate within the boundary line of the Vallejo Company. The boundary line need not here be defined, it being clearly evident that a portion of the bridge structure lies within the territorial limits established for the Vallejo Company, and outside of the area in which Great Western Power Company may serve.

It appears that American Toll Bridge Company owns its own circuit for distributing electric energy at both ends of and along said bridge, and that service might accordingly be taken with equal facility either from Great Western Power Company or from Vallejo Electric Light and Power Company. The

bridge company has elected to deal with Great Western Power Company, receiving energy at a metering point located near the south abutment of the bridge. A portion of such energy so delivered after being transferred over the Bridge Company's own lines is used at the Toll House. It is this service that Vallejo Electric Light and Power Company protests, although the Bridge Company's electric facilities lie wholly upon their own property.

As I see this matter the Toll House is a necessary adjunct to the bridge and electric service to the Toll House and to the bridge proper may reasonably be considered as one complete service if the consumer so desires. Where a structure, or a group of structures which may reasonably be considered as requiring one complete service, are so located as to lie across a territorial boundary established by this Commission, the consumer should be permitted to take service from either side of such boundary line. The conditions to which this conclusion applies are to be carefully distinguished from an instance where the consumer might build his electric facilities over a boundary line established by the Commission to defeat the purpose for which such boundary was established.

I recommend the following form of order.

O R D E R

Complaint as above named and numbered having been filed with this Commission, a public hearing having been held thereon, the matter having been duly submitted and being

now ready for decision, and the Commission being fully advised and good cause appearing, therefore

IT IS HEREBY ORDERED that the above complaint be and the same is hereby dismissed.

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 30th day of September, 1927.

Emmery
Chase
Thos. B. Ricketts
W. A. Linn
Commissioners.