

ORIGINAL

Decision No. 21180

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

MRS. IVA CLARK, et al.,
Complainants,
vs.
CALIFORNIA WATER SERVICE COMPANY,
a corporation,
Defendant.

Case No. 2631.

Jay A. Hinman, for East Bakersfield Water Consumers.
McCutchen, Olney, Mannon & Greene, by V.E. Kleven,
for the Defendant.
Walter Osborn, City Attorney of Bakersfield,
for the City of Bakersfield.

CARR, COMMISSIONER:

O P I N I O N

Complainants, water consumers on the Bakersfield system of the California Water Service Company, set up the claim that the defendant's rates in Bakersfield are unreasonable, and, more particularly, that a discriminatory condition exists in that city, in that consumers in one portion of the city are largely upon a flat rate basis, while those in the remainder are largely upon a meter basis.

Public hearings were held before Commissioner Carr at Bakersfield on March 25, 1929, and on May 7, 1929, at the latter of which hearings engineers of the Commission suggested several possible schedules calculated to remove what was admitted to be a discriminatory rate situation which had arisen from the acquisition by the defendant of two separate local water companies

theretofore serving East and West Bakersfield respectively, each with its own separate and distinct rate structure.

Since the last hearing there has been filed with the Commission a stipulation by the complainants, the City of Bakersfield and the company, being all of the parties appearing in the case, providing for a uniform rate structure in Bakersfield and for a dismissal of the case. The provision for dismissal seems intended to be in the nature of a disposal of the case, following a satisfaction of the complaint by the company through the tender of a new rate structure based upon its present schedule in West Bakersfield (where flat rates prevail), modified as follows:

First: The present item in the flat rate schedule for a charge on automobiles is to be eliminated.

Second: Residence consumers shall have the option of being served at flat rates or at the present meter rates (optional meter rates in West Bakersfield and meter rates in East Bakersfield being the same), such option, when exercised, not to be changed for a period of one year.

Third: The company shall have a similar option to meter business and industrial consumers now on a flat rate basis.

The rate plan thus agreed upon will mean some reduction in revenue to the company and will place everyone in Bakersfield upon a similar basis. It should be approved.

Two matters, however, should be given brief reference. An extensive use of flat rates in East Bakersfield may, by increasing the demand upon the water system, work some impairment in the quality of the service for a few months this summer until certain changes in the facilities of the company are effected. Again, changing from meter to flat rate service which, as desired by the consumers now on the metered basis, is to be made immediately

will involve some complications in the way of prorating bills, but the desire evidenced by both the consumers and the company to work out in a fair way the peculiar situation existing in Bakersfield will doubtless extend over the transition period and make it possible to effect the changes with a minimum of friction and difficulty.

O R D E R

There having been filed herein a stipulation by the parties appearing therein accepting the rate structure referred to in the opinion as a satisfaction of the complaint, and it appearing that this rate structure is, under all circumstances, a reasonable one,

IT IS HEREBY ORDERED that California Water Service Company, a corporation, forthwith file and place in effect schedules and rules for its Bakersfield service as indicated in the opinion and in conformity with the stipulation on file herein, and that thereupon the complaint be satisfied and dismissed, this order to take effect at once.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission.

Dated at San Francisco, California, this 3rd day of

June, 1929.

Thomas S. Lott

C. J. J. J.

Leon S. Whipple

W. J. C.
Commissioners.