

Decision No. 22284.

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Investigation  
 on the Commission's own Motion into  
 the rates, service, rules, regulations,  
 contracts, classifications, charges,  
 practices and operations, or any of  
 them, of V. A. Hart, operating an  
 electric plant serving territory in  
 and about Almanor Inn.

Case No. 2768.

V. A. Hart, Respondent, in propria persona.

Jerome A. Duffy, for Great Western Power  
 Company, Interested Party.

Harry A. Encell, for himself and H. A.  
 Merrill, Interveners.

BY THE COMMISSION:

O P I N I O N

The above entitled proceeding was instituted by the Commission upon its own motion for the purpose of ascertaining the public character of the business established and conducted by V. A. Hart, in the operation of an electric distribution system, serving territory in and about Almanor Inn, in Plumas County.

Public hearings herein were conducted by Examiner Williams at Westwood and San Francisco. The matter was duly submitted and is now ready for decision.

Respondent herein operates a recreational area known as Almanor Inn on forest reserve land bordering on Lake Almanor, and owns a power line from Prattville to his place of business. From the electrical energy thus received, he provides himself with electric service at the Inn and its attached cottages, and, in addition, serves about thirty other cottages in the vicinity

not on his property. The power line was built in 1920 and acquired by Mr. Hart from his predecessor in interest and consists of a single phase 2200 volt circuit and is mainly attached to trees by means of insulators supported on brackets, said construction being in violation of state law requirements and in addition constitutes a fire hazard. From the record it appears that the Forest Bureau has not issued a permit or authorized the maintenance of this line across Government property.

From this line Mr. Hart resales electric energy at 110 volts to owners of cottages adjacent to his holdings, provided said consumers build and maintain at their own expense the necessary secondary services and metering equipment, charging a flat rate of 15¢ per Kw-h. for all consumption. By this means those consumers, whose connected load consists of a few cabin lights, have enjoyed an extremely low annual charge for electric service, but this method and class of service rendered precludes the possibility of economically serving a heating and cooking load to any of the existing consumers.

Representatives of the Great Western Power Company of California at the hearings indicated that this Company is willing to construct a properly equipped line from Prattville to Almanor Inn and to establish service on the same basis as elsewhere, and with rates applicable to recreational conditions. To equip itself for proper service, the company must build approximately 4,000 feet of standard primary line from Prattville to Almanor Inn; must acquire all privately owned secondary services and meters at a depreciated value exclusive of private lines on Almanor Inn area; must re-run and re-locate secondary services and meters for consumers and make future extensions and render service in accordance with its rules and regulations on file with the Commission.

By Decision No. 22,088, effective on and after March 1, 1930, the Great Western Power Company of California has filed standard rates applicable to all portions of its system including recreational areas. It is a matter of record in this case that the recreational area referred to is definitely within the service domain of the Great Western Power Company of California and the rates on file should be applied.

These rates in recreational areas will incur an annual minimum charge of \$8.40 and it is likely that some consumers will not care to bear this annual minimum expense because of use of short duration. However, other schedules to be made available for general purposes will benefit a large proportion of the summer residents and result in an increased gross revenue under all the circumstances disclosed in this proceeding. Great Western Power Company is under duty to furnish adequate service to this area and should, on or before the date fixed in the order for Hart to desist further resales, construct adequate facilities for this purpose and, should wherever possible, acquire the useful facilities heretofore provided by consumers at their own expense.

Respondent herein was given the opportunity during the hearings to make application for a certificate to install and conduct a properly equipped service, including a new power line and secondary extensions, but he elected not to do so. In view of the existing line construction, methods of service, and all other circumstances disclosed in this proceeding and the fact he apparently does not intend to make the necessary changes to meet the requirements, we believe an order, requiring him to desist from resale in the future of electric energy to the public, is justified and will not be contrary to public interest.

It is our conclusion that Mr. Hart should desist from further resale of electric energy in this territory and that the Great Western Power Company should render full service under its filed schedules. An order accordingly will be entered.

O R D E R

This Commission having instituted a proceeding on its own motion into the rates, services, rules, regulations, contracts, classifications, charges, practices and operations, or any of them, of V. A. Hart, a public hearing having been held, the matter having been submitted and now being ready for decision,

IT IS HEREBY ORDERED that V. A. Hart shall, on and after the 15th day of May, 1930, cease and desist delivering or furnishing electrical energy or the resaling of electrical energy to the public within the Almanor Recreational Area in the County of Plumas.

For all other purposes, the effective date of this order shall be twenty (20) days from and after the date hereof.

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 20th day of March, 1930.

C. S. Seaman

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W. J. Lewis

M. J. Am  
Commissioners