

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
EXCELSIOR WATER AND MINING COMPANY,)
a corporation, for an order author-)
izing and permitting an increase in)
the rates and charges for water furn-)
ished and services rendered by it in)
the Counties of Nevada and Yuba,)
State of California.)

Application No. 6427.

MARTIN, Commissioner.

OPINION ON REHEARING

The Commission in its Decision No. 10333, dated April 19, 1922, held that the rate established in Decision No. 9986 was substantially correct and that no modification of the decision would be made except that portion of the rate schedule requiring an initial payment by the consumers of \$15.00 per inch, and granting a rehearing for further consideration of that portion of the order.

A rehearing was held at San Francisco, at which representatives of the consumers contended that the initial charge should be removed, while applicant proposed to reduce the charge to \$5.00 per miner's inch.

The Commission is still of the opinion that an initial charge is a proper charge in this instance, and as the amount proposed by applicant is not unreasonable it will be provided in the following order.

ORDER

A rehearing having been granted for the purpose of further considering the initial charge established in Decision No. 9986 of this Commission, dated January 12, 1922, a hearing having been

held thereon, and the matter having been submitted,

It Is Hereby Found as a Fact that the initial charge established in Decision No. 9986 is unjust and unreasonable in so far as it differs from the initial charge herein established, and that the initial charge herein established is a just and reasonable charge.

And basing its order upon the foregoing finding of fact and upon the statements of fact contained in the preceding opinion,

IT IS HEREBY ORDERED that the Excelsior Water and Power Company, formerly the Excelsior Water and Mining Company, be and the same is hereby authorized and directed to file with this Commission within twenty (20) days from the date of this order the following initial charge, effective for all water delivered to its consumers during the present and subsequent seasons, namely,

\$5.00 per miner's inch to accompany application for water, the balance of the charges to be due and payable on September 1st of the year of service.

IT IS HEREBY FURTHER ORDERED that all sums collected as initial charges in excess of \$5.00 per inch be immediately refunded.

IT IS HEREBY FURTHER ORDERED that except as amended above, the order in Decision No. 9986, dated January 12, 1922, shall remain in full force and effect.

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 7th day of
May, 1922.

H. B. Bauding

Living Martin

J. F. Pennington
Commissioners.