

Decision No. 1171

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

**ORIGINAL**

Decision No. 1171

In the matter of the application of )  
 West Coast Gas Company for permission )  
 to change the minimum rate per month )  
 for gas furnished its patrons at New- )  
 port Beach, California. )

Application No. 794

EDGERTON, Commissioner.

O P I N I O N

This is an application by West Coast Gas Company for authority to change the minimum rate for gas in the City of Newport Beach.

The allegation in the application is that the minimum now charged in said city is 50 cents per month from October 1st to April 1st, and \$1.00 per month the remainder of the year.

Applicant supplies gas to the cities of Newport Beach and Huntington Beach, and some other adjacent territory.

The officers of applicant testified that the rates on file with this Commission provide for a \$1.00 minimum charge to all consumers, but that a manager in Newport Beach had, without authority, reduced the minimum in that town to 50 cents per month from October 1st to April 1st, and that it was the purpose of this application to restore the minimum in Newport Beach to \$1.00 for the whole year so that the minimum would be uniform over the entire system.

A careful inspection of the rate schedules of applicant on file with this Commission shows that such schedules provide for no minimum whatever on any part of the system of applicant. Therefore, if any minimum is being charged any consumer by applicant, such charge is unlawful, and if it is the purpose to charge a \$1.00 minimum to all of the consumers of applicant an application should be made therefor to this Commission.

Should this present application be granted it would result in a minimum of \$1.00 per month being established for only a portion of applicant's consumers, which would be manifestly unfair.

I recommend that this application be dismissed and submit herewith the following form of order:

O R D E R

Application having been made by West Coast Gas Company for an order authorizing an increase in the minimum charge by applicant for the delivery of gas in the City of Newport Beach from 50 cents per month during the months from October 1st to April 1st of each year to \$1.00 per month the whole year, and a public hearing having been held and it appearing to the Commission that there is not now any legal minimum shown on any schedule of rates on file with this Commission and that therefore no minimum can legally be charged by applicant to any of its consumers, and that it would be unfair and unjust to establish a minimum of \$1.00 per month in the City of Newport Beach where such minimum did not obtain as to other consumers, and that, therefore, this application should be dismissed,

IT IS HEREBY ORDERED that the application herein 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 30<sup>th</sup> day of December, 1913.

John W. Eschlerman  
W. H. Loveland  
Edwin O. Edgerton