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Decision No. 1830

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Wm. G. Rood,

Complainant,

vs.

Pacific Light and Power Corporation, a corporation,

Defendant.

Case No. 666

Decision No. 1830

S. M. Haskins for defendant
Wm. G. Rood in propria persona

EDGERTON, Commissioner.

O P I N I O N

This is a complaint by Wm. G. Rood, in which he alleges that Pacific Light and Power Corporation has refused to extend its line to his property in the City of San Fernando, and furnish him electric lighting service. He prays that this company be compelled to make this extension and furnish him service.

The company's defense is that to furnish plaintiff with service would require an investment of about \$150, and that there was no assurance of any return whatever from the plaintiff, as his property was rented to a tenant who might move out, leaving the property vacant. Further, even if the minimum was assured this would only produce \$12 a year, which would not provide a fair return on this investment.

Plaintiff's house is approximately 190 feet from the nearest available line of defendant, and his house is wired ready for electric service. In close proximity to the house of plaintiff there are four other houses, and in the same block there are ten houses altogether, all of which except plaintiff's being occupied by Mexican families. Plaintiff contends that some of

these Mexican families will wire their houses and take electric service if the extension he asks for is made, but the company introduced evidence to show that these Mexican families have been canvassed, with the result that none of them were willing to agree to take service.

I think this extension should be made. It must be remembered that this company has the right, under the Constitution of this State, to extend all over the City of San Fernando without obtaining a franchise from the authorities therefor, and this privilege, of course, carries with it an obligation to properly serve this community. Obviously, neither this defendant nor other utility corporations should be compelled to at once extend to every portion of every city in which they have such privileges, as this would lead to results detrimental both to the public and the company, but reasonable extensions should be made even though they do not at the time produce profitable business by themselves. I am unwilling to conclude that out of ten occupied houses only one will take electric lighting service, especially after a demonstration of the use of this service in one of these houses. On the other hand, I do not believe in forcing extensions unless such extensions will be made use of, and therefore I think a reasonable requirement would be that before this extension is made plaintiff be required to guarantee, for one year at least, the minimum rate charged in San Fernando.

I submit herewith the following form of order:

O R D E R

Complaint having been made by Wm. G. Rood against Pacific Light and Power Corporation, alleging the refusal of said corporation to furnish lighting service to said complainant, and a public hearing having been had and the case submitted, and the Commission fully advised in the premises,

IT IS HEREBY ORDERED by the Railroad Commission of the State of California that Pacific Light and Power Corporation extend its electric lighting service wires to the house of plaintiff located on Lots 55 and 56, Block 57 Porter Land and Water Company's Resurvey of the Town of San Fernando, and thereafter to furnish electric lighting service to said house.

Provided, however, that before commencing the installation of such service extension plaintiff shall enter into a written guarantee with defendant whereby the payment of the minimum monthly rate for electric lighting service charged in the City of San Fernando shall be guaranteed for a period of one year.

Immediately upon the making of such guarantee defendant shall proceed to install the service hereinabove provided for.

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 28th day of September, 1914.

John McEshelman
Ad. Braland
Edwin O. Edgeston
Commissioners.