Decision No. 2478

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

E. J. McCOY, E. R. EKLUND
E. O. F. AMES and R. SPROTE,

Complainants,

vs.

MARIN WATER AND POWER COMPANY,

Defendant.

Case No. 735.

E. O. F. Ames and R. Sprote for complainants.
Joseph Haber, Jr., for defendant.

THELEN, Commissioner.

O P I N I O N.

The complainants herein request that Marin Water and Power Company be directed to extend its distributing system for the purpose of supplying water directly to complainants and other persons living in the Laurel Dells Subdivision of San Rafael. This subdivision was placed on the market by W.L.Courtright, who agreed to supply water to persons purchasing lots in the subdivision.

Mr. Courtright secures his water from Marin Water and Power Company and then distributes it as a public utility to some 24 persons living on lots bought from him.

The complainants herein complained of the service rendered by Courtright, and particularly that they have been without water a number of times by reason of the fact that Marin Water and Power Company shut off Courtright's water because he failed to make the necessary advance payments. The complainants desire to discontinue taking water from Courtright and to be served directly by Marin Water and Power Company.

A public hearing in this proceeding was held at San Francisco on February 8, 1915. It appeared at this hearing that the complaint could not be satisfactorily adjusted unless Courtright were brought before the Commission. Accordingly, the Commission

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instituted on April 5, 1915, on its own motion, an investigation into the rates, service, rules, regulations and practices of Courtright, assigning to the case No. 797. A public hearing in Case No. 797 was held in San Francisco on May 22, 1915. The order this day being rendered in Case No. 797 covers the complaint herein and makes unnecessary further consideration of this proceeding.

I submit the following form of order:

O R D E R.

A public hearing having been held in the above entitled proceeding, and the same having been submitted and being now ready for decision, and relief having been given to the complainants herein in the Commission's order of even date in Case No. 797,

IT IS HEREBY ORDERED that the above entitled proceeding 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 14th day of June, 1915.

Max Thelen

H. D. Loveland

Edwin O. Edgerton

Frank R. Devlin

Commissioners.