BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the Application of TUJUNGA WATER AND POWER COMPANY, a Corporation, for an increase of rate to be charged and paid to it for furnishing, distributing and selling its water to the public users thereof) and especially to the inhabitants of those communities known as Tujunga Terrace and Hansen Heights (unincorporated).



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F. E. Davis, for Applicant James Donovan, for Dan and William Clemmons, Protestants: J. Madison Carter, for Protestants in Tujunga Terrace and Hansen Heights W. F. Irvine and Wm. H. Holmes, for Eucalyptus Estates Co.

BY THE COMMISSION.

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OPINION ON REHEARING.

A petition for a rehearing in this proceeding was received by the Commission from Dan and William Clemmons, Protestants, on August 16, 1915, based upon alleged errors in the findings of the Commission in its decision on this application. Such petition was not presented to the Commission within the statutory time but is not denied alone upon that ground, but for the substantial reason that the allegations of error in the decision of the Commission are without merit.

While not answering the petition for rehearing in detail We shall call attention to some of the allegations contained therein.

Counsel for petitioner alleges that the schedule of rates recently established by the Commission will return to the company interest on investment, to which the defendant is no ventitled. There is no certainty that these rates will return more than the amount necessary for operating the system and keeping it in repair. In this respect base there is no error.

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Counsel for petitioners has laid particular stress upon the power of this Commission to modify contractual relations between public utilities and consumers in cases such as the one in controversy. The Commission, however, finds no reason to change its opinion, as expressed in the decision in this application and in former decisions, upon this matter.

Counsel's contentions on other points are likewise without merit.

ORDER DENYING PETITION FOR REHEARING.

Dan and William Clemmons having filed their petition for a rehearing herein, and the Railroad Commission finding that no good reason exists why a rehearing should be held,

IT IS HEREBY ORDERED that said petition be and the same is hereby denied.

Dated at San Francisco this 19th day of Aug-

ust, 1915.

Commissioners.

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