

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

WILLIAM R. BOWKER,

Complainant,

-vs-

UNITED LIGHT, FUEL & POWER COMPANY,
a corporation,

Defendant.

ORIGINAL

Case No. 883.

BY THE COMMISSION:

O P I N I O N .

This complaint attacks as discriminatory the rate charged for electric energy supplied by United Light, Fuel & Power Company in the city of Coronado, San Diego County, in this State. The alleged discrimination is said to arise because the Consolidated Gas & Electric Company, an entirely different utility, charges a lesser rate for electric energy supplied in the city of San Diego than is charged by the defendant for electric energy sold in Coronado.

The defendant company has objected to the sufficiency of the complaint on the ground that the complaint does not state a cause of action. We believe that this objection is well taken. Obviously, it is impossible to show that one

utility is discriminating because another utility is supplying the same commodity at a different rate in another community. The complaint accordingly must be dismissed.

ORDER.

After careful consideration, the Commission being of the opinion that the complaint herein fails to state a cause of action,--

IT IS HEREBY ORDERED that the complaint herein be, and the same is hereby, dismissed.

Dated at San Francisco, California, this 9th day of November, 1915.

Max Thelen
H. J. Leonard
Edwin O. Edgerton
Frank R. DeWitt
Commissioners.