

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

J. P. MELCHER, et al.,
Complainants,
vs.
MT. WHITNEY POWER AND ELECTRIC
COMPANY,
Defendant.

ORIGINAL

Case No. 654.

A. C. ROSENTHAL, et al.,
Complainants,
vs.
MT. WHITNEY POWER AND ELECTRIC
COMPANY,
Defendant.

Case No. 750.

In the Matter of the Application
of MT. WHITNEY POWER AND ELECTRIC
COMPANY for an order establishing
just and reasonable rates, rules,
regulations, contracts and practices
to be charged and observed by said
company.

Application No. 1673.

BY THE COMMISSION.

OPINION ON PETITION FOR REHEARING.

Mt. Whitney Power and Electric Company has filed a petition for rehearing in the above entitled proceedings.

In this petition the Mt. Whitney Company in no way challenges the fairness or reasonableness of this Commission's findings as to the fair value of the company's property or the rate of return thereon or the reasonableness of the amounts allowed for operating expenses or for depreciation.

The Mt. Whitney Company alleges that the revenue to be derived from the amount of electric energy which can be generated in the company's present generating system will not be sufficient to enable the company to secure the net income

which the Railroad Commission found to be reasonable. At the present time, over 22,000 horse power of gas engines are installed within a mile on either side of the Mt. Whitney Company's distributing lines. It is conceded that under the reduced rates for agricultural power herein established, the Mt. Whitney Company will be able to secure a large amount of this business. It must also be assumed that the Mt. Whitney Company will have at least a normal increase in its business for other classes of service. While it is true that the large amount of additional business which the Mt. Whitney Company will undoubtedly secure under the rates herein established will necessitate the procurement by the Mt. Whitney Company of a considerable amount of additional electric energy, either through the installation of additional generating capacity, or otherwise, we assume that the Mt. Whitney Company will, in the exercise of good business judgment, take the steps necessary to secure the largely increased business which is at hand and which will no doubt redound materially to the permanent advantage of the Mt. Whitney Company.

The Mt. Whitney Company has made certain suggestions with reference to changes in the form and language of the rate schedules and rules and regulations herein prescribed. These suggestions are nearly all meritorious and most of them will be embodied in the order herein.

It appears that the Mt. Whitney Company is beginning to develop mining power business, and the company asks that a separate schedule for this class of business be established. Schedule No. 8, for industrial power, is applicable to this class of business. The Commission does not at the present time have available sufficient information to enable it to establish a separate schedule for mining power business. However, if special conditions develop in connection with this class of

business, the Mt. Whitney Company may draw them to the Commission's attention, with a view to the establishment of a separate schedule for this class of business.

The Mt. Whitney Company also asks this Commission to establish a separate schedule for combination lighting, cooking and heating service for residence purposes and for heating only. Such schedule will be established and will appear in the order herein as Schedule No. 11.

Some suggestion has been made by the San Joaquin Light and Power Corporation that agricultural power business for one and two months may be undesirable business from the point of view of the system peak load. The Commission is suggesting to the Mt. Whitney Company and the San Joaquin Corporation that if either company concludes, on reflection, that this class of business is undesirable, the Commission will permit the filing of schedules eliminating this class of service.

The Mt. Whitney Company also asks that such order as may be rendered herein shall be made effective on the first day of a calendar month, with the exception that the meter rates shall apply to the readings taken in the calendar month in which the decision as to such rates becomes effective. This request is reasonable and will be granted.

While the Commission is confident that the rates herein established will yield petitioner a reasonable return, the Commission stands ready, in case a fair trial of the rates proves unsatisfactory, to make the necessary readjustments promptly.

ORDER ON PETITION FOR REHEARING.

Mt. Whitney Power and Electric Company having filed a petition for rehearing in the above entitled proceedings, and careful consideration having been given to said petition,

THE RAILROAD COMMISSION hereby makes the following findings of fact:

(1) The Railroad Commission finds that the rates, rules, regulations, contracts and practices of the Mt. Whitney Power and Electric Company are unjust and unreasonable in so far as they differ from the rates, rules, regulations, contracts and practices herein established.

(2) The Railroad Commission hereby finds that the rates, rules, regulations, contracts and practices herein established are just and reasonable rates, rules, regulations, contracts and practices.

Basing its order on the foregoing findings of fact and on each statement of fact which is contained in the opinion of April 6, 1916 herein, and in the opinion which precedes this order,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Mt. Whitney Power and Electric Company is hereby ordered to establish and file with the Railroad Commission on or before May 1, 1916, the following rates for the respective classes of service specified, which rates are found to be just and reasonable rates:

SCHEDULE NO. 1

GENERAL DOMESTIC LIGHTING RATE

Metered Service

Applicable to domestic and small commercial lighting, heating and power installations of less than five kilowatt capacity.

First 20 kilowatt hours per month per meter 8¢ per K.W.H.

Over 20 kilowatt hours per month per meter 4¢ per K.W.H.

Minimum Monthly Charge \$.75 per Meter.

SCHEDULE NO. 2

GENERAL COMMERCIAL LIGHTING RATE

Metered Service

Applicable to all commercial, industrial, sign out-
line and other lighting installations and to
small power and appliances used in con-
nection with lighting service.

\$2.25 per Month per kilowatt of measured maximum demand,
to which charge shall be added an energy charge of one
(1) cent per metered kilowatt hour for all electric
energy consumed.

Minimum Monthly Bill - \$2.50

Watt demand indicators and watt hour meters will in
all cases be installed and maintained by the Company
at its own expense under this rate.

SCHEDULE NO. 2

Public Outdoor Lighting Service

Flat Rate.

This schedule of rates is applicable to all street, highway and other public outdoor lighting and includes installation, maintenance, operation and lamp renewals necessary for such service.

1. 6.6 Ampere Luminous Arc Lamps:
\$36.40 per lamp per year plus 50 cents per 100 lamp hours.
2. 4 Ampere Luminous Arc Lamps:
\$33.00 per lamp per year plus 45 cents per 100 lamp hours.
3. 600 Candle Power Series and 400 Watt Multiple Incandescent Lamps:
\$29.50 per lamp per year plus 60 cents per 100 lamp hours.
4. 400 Candle Power Series and 200 Watt Multiple Incandescent Lamps:
\$27.00 per lamp per year plus 40 cents per 100 lamp hours.
5. 250 Candle Power Series and 150 Watt Multiple Incandescent Lamps:
\$23.00 per lamp per year plus 30 cents per 100 lamp hours.
6. 100 Candle Power Series and 80 Watt Multiple Incandescent Lamps:
\$16.20 per lamp per year plus 15 cents per 100 lamp hours.
7. 80 Candle Power Series and 60 Watt Multiple Incandescent Lamps:
\$13.40 per lamp per year plus 10 cents per 100 lamp hours.
8. 60 Candle Power Series and 40 Watt Multiple Incandescent Lamps:
\$11.50 per lamp per year plus 8 cents per 100 lamp hours.

All night lamps will be considered as burning 4,000 hours per year.

Where the Company is required to provide ornamental lighting posts or standards an additional charge will be made.

SCHEDULE NO. 4.

AGRICULTURAL SERVICE

CONTRACT FLAT RATES

Applicable to all agricultural or rural power and other service limited only by the demand upon the Company's system. Service will normally be supplied at 110 or 220 volts

One Month's Continuous Service	\$ 7.00 per H.P.
Two Months' Continuous Service	12.15 " "
Three Months' Continuous Service	16.45 " "
Four Months' Continuous Service	20.25 " "
Five Months' Continuous Service	23.65 " "
Six Months' Continuous Service	26.80 " "
Seven Months' Continuous Service	29.75 " "
Eight Months' Continuous Service	32.50 " "
Nine Months' Continuous Service	35.10 " "
Ten Months' Continuous Service	37.60 " "
Eleven Months' Continuous Service	40.00 " "
Twelve Months' Continuous Service	42.30 " "

The above flat rates are based upon the connected load in motors or other utilization equipment which can be connected at any one time to the Company's supply system. Under normal conditions meters will not be installed by the Company on strictly flat rate business but at the consumer's request demand indicating and watt-hour meters will be supplied at a charge of \$7.50 per year or fraction thereof and the flat rate charges per horsepower of connected load will be readjusted on the basis of 94% demand factor.

The minimum bill under these rates for an installation less than one horsepower will be the flat rate for one horsepower.

SCHEDULE NO. 5

AGRICULTURAL SERVICE

NON-CONTRACT FLAT RATES

Applicable to all agricultural or rural power and other service limited only by the demand upon the Company's system. Service will normally be supplied at 110 or 220 volts.

1st Month's Service	\$7.00 per H.P.
2nd Month's Service	5.15 " "
3rd Month's Service	4.30 " "
4th Month's Service	3.80 " "
5th Month's Service	3.40 " "
6th Month's Service	3.15 " "
7th Month's Service	2.95 " "
8th Month's Service	2.75 " "
9th Month's Service	2.60 " "
10th Month's Service	2.50 " "
11th Month's Service	2.40 " "
12th Month's Service	2.30 " "

The consumer taking service under these rates will be required to pay for the cost of the initial service connection and also the cost of any subsequent disconnections or reconnections made at his request.

The above flat rates are based upon the connected load in motors or other utilization equipment which can be connected at any one time to the Company's supply system. Under normal conditions meters will not be installed by the Company on strictly flat rate business but at the consumer's request demand indicating and watt-hour meters will be supplied at a charge of \$7.50 per year or fraction thereof and the flat rate charges per horsepower of connected load will be readjusted on the basis of 94% demand factor.

The minimum bill under these rates for an installation less than one horsepower will be the flat rate for one horsepower.

SCHEDULE NO. 6

AGRICULTURAL SERVICE

METER RATES

Applicable to all agricultural or rural power and other service limited only by the demand upon the Company's system. Service will normally be supplied at 110 or 220 volts.

CONTRACT BASIS

Demand Charge For One Month's Continuous Service						\$ 4.50 per H.P.
"	"	"	Two Months'	"	"	7.50 " "
"	"	"	Three "	"	"	9.80 " "
"	"	"	Four "	"	"	11.75 " "
"	"	"	Five "	"	"	13.45 " "
"	"	"	Six "	"	"	15.00 " "
"	"	"	Seven "	"	"	16.40 " "
"	"	"	Eight "	"	"	17.70 " "
"	"	"	Nine "	"	"	18.90 " "
"	"	"	Ten "	"	"	20.00 " "
"	"	"	Eleven"	"	"	21.05 " "
"	"	"	Twelve"	"	"	22.05 " "

To the demand charge, which is payable in equal monthly installments, shall be added the following energy charges:

ENERGY CHARGE, \$.005 per Kilowatt-hour.

NON-CONTRACT BASIS

Demand Charge For 1st Month's Service					\$4.50 per H.P.		
"	"	"	2nd	"	3.00	"	"
"	"	"	3rd	"	2.30	"	"
"	"	"	4th	"	1.95	"	"
"	"	"	5th	"	1.70	"	"
"	"	"	6th	"	1.55	"	"
"	"	"	7th	"	1.40	"	"
"	"	"	8th	"	1.30	"	"
"	"	"	9th	"	1.20	"	"
"	"	"	10th	"	1.10	"	"
"	"	"	11th	"	1.05	"	"
"	"	"	12th	"	1.00	"	"

To the demand charge shall be added the following energy charge:

ENERGY CHARGE, \$.005 per kilowatt-hour.

The Consumer taking service under Non-Contract rates will be required to pay for the cost of the initial service connection and also the cost of any subsequent disconnections or reconnections made at his request.

The Demand charges under this schedule are based on the connected load in motors or other utilization equipment which can be connected at any one time to the Company's supply system, and the meters regularly supplied are of the recording watt-hour type. At the consumer's request, however, the company will furnish and install demand indicating instruments at a rate of \$5.00 per year or fraction thereof, and base the demand charge upon the measured monthly maximum demand, in which case the demand charges will be readjusted on the basis of 94% demand factor.

The minimum bill for an installation less than one horsepower will be the demand charge for one horsepower.

SCHEDULE NO. 7

GENERAL POWER RATE

Metered Service

Applicable to all industrial, commercial and other power installations of not more than twenty (20) horsepower installed capacity receiving energy at 110 or 220 volts at the consumers's option. Single phase, two phase, or three phase service at option of company.

4¢ per kilowatt hour for first 200 kilowatt hours consumed during any month.

2¢ per kilowatt hour for all energy used during any month in excess of 200 kilowatt hours.

Minimum monthly charge \$1.00 per horsepower connected.

Minimum monthly bill \$1.00.

SCHEDULE NO. 8.

INDUSTRIAL POWER RATES

METERED SERVICE.

Applicable to all classes of power installations not otherwise specifically provided for in separate schedules.

INSTALLATIONS OF NOT MORE THAN 20 H.P.

\$1.50 per month per horsepower connected to which charge shall be added an energy charge of one half (1/2) cent per kilowatt hour for all electric energy supplied.

Minimum monthly bill, \$5.00.

INSTALLATIONS IN EXCESS OF 20 H.P.

\$2.50 per month per kilowatt of measured maximum demand, to which charge shall be added an energy charge of four-tenths of one cent (\$.004) per kilowatt hour for all energy supplies.

Minimum monthly bill, \$20.00.

On small installations where the demand charge is based on the connected load ordinary recording watt-hour meters are regularly supplied by the Company. At the consumer's request, however, demand indicating instruments will be supplied at an additional charge of \$.25 per month in which case the rate will be based on the measured monthly maximum demand and the demand charge will be readjusted on the basis of 79% demand factor.

SCHEDULE NO. 9.

SUBSTATION SERVICE RATE

Metered Service

Applicable to large consumers receiving energy directly from the Company's substations.

\$2.70 per month per kilowatt of measured maximum demand to which charge should be added an energy charge of one-quarter (1/4) cent per kilowatt hour for all electric energy supplied.

Annual minimum charge from existing substations, \$12 per K.W., payable \$1.00 per K.W. monthly.

Under this rate, watt demand indicators, graphic recording meters, or other demand indicating or recording instruments and watt hour meters will in all cases be installed and maintained by the Company at the point of delivery.

SCHEDULE NO. 10.

TRANSMISSION SERVICE RATE

Metered Service.

Applicable to large consumers receiving energy directly from the Company's transmission lines at the transmission line voltage.

\$2.50 per month per kilowatt of measured maximum demand, to which charge shall be added an energy charge of two-tenths (2/10) cent per kilowatt hour for all electric energy supplied.

Annual minimum charge \$1200.00, payable \$100.00 monthly. Under this rate watt demand indicators, graphic recording meters or other demand indicating or recording instruments and watt hour meters will in all cases be installed and maintained by the Company at the point of delivery.

SCHEDULE NO. 11

Combination Lighting, Cooking and Heating Service.

Meter Rate.

Applicable to lighting, cooking and heating where the rated capacity in cooking accessory equipment equals or exceeds 5 kilowatts.

First	20 kilowatt hours per month per meter	8 cents per k.w.h.
Next	150 kilowatt hours per month per meter	3 cents per k.w.h.
Over	170 kilowatt hours per month per meter	1 cent per k.w.h.

Minimum Monthly Charge \$2.00 per Meter.

Where lighting service is not required under the schedule, the first block at 8 cents per kilowatt hour will be eliminated and the 3 cent rate will apply to the first 150 kilowatt hours with 1 cent per kilowatt hour for all energy consumed in any month in excess of 150 kilowatt hours. This latter schedule will also apply where heating service only is furnished in case the rated capacity of such equipment is not less than five kilowatts. Minimum monthly bill in any event shall be \$2.00 per meter.

SCHEDULE NO. 12

Special Street Lighting Service

Applicable to special street lighting service in City of Lindsay where the Company furnishes ornamental posts in addition to regularly supplied street lighting facilities.

\$52.00 per Lamp per year.

2. Mt. Whitney Power and Electric Company is hereby ordered to prepare and file with the Railroad Commission on or before May 1, 1916, revised forms of agricultural power contracts complying with the directions contained in the opinion of April 6, 1916, in the above entitled proceedings.

3. Mt. Whitney Power and Electric Company is hereby ordered to establish and file with the Railroad Commission on or before May 1, 1916, rules and regulations in accordance with the directions contained in the opinion of April 6, 1916, in the above entitled proceedings, including the following rules and regulations:

(a). Application for Service: The Company will require each prospective consumer to sign an application in writing for the service desired, such application setting forth the location of the premises to be served, the purpose for which the service is to be used, the schedule number under which applicant desires service, a description of the electrical equipment installed or to be installed, the name and address of the person responsible for the payment of the bills and the name and address of the owner of the premises.

(b) Contracts: Contracts will be required in the first instance for all agricultural and mining power service and for municipal street lighting. If a consumer selects a contract rate, he will be required to sign a contract for the period covered by the contract. All contracts will contain the following sentence:

"It is understood by and between the parties hereto that this agreement is subject at all times, after proceedings duly had, to change or abolition by the Railroad Commission of the State of California."

(c) Rates: The rates to be charged by and paid to the Company for electric energy and service shall be the rates legally in effect and on file with the Railroad Commission.

Complete schedules of all rates legally in effect will be kept at all times in each of the Company's local offices where they will be available for public inspection. Where there are two or more rates or schedules applicable to any class of non-contract service, the consumer, at the time he makes application to the Company for service, must designate which rate or schedule he desires, and the rate or schedule so designated shall remain in effect until changed by thirty days written notice by the consumer specifying which new rate or schedule is desired. The rates and minimum charges set forth in the effective rate schedules are based upon the load connected to the Company's supply system through one meter. Where sub-meters or secondary meters are desired by the consumer, such meters will be charged for separately on the monthly rental basis.

(d) Payment: All rates are payable monthly.

(e) Limitation of Demand: Double throw switches or other approved demand limiting devices will be permitted to limit the demand which can be created at any one time on the company's supply system through the operation of the consumer's electrical equipment.

(f) Meters: All meters will be furnished and installed by the company at its own expense without any additional charge from the rates set forth in its effective rate schedules, except in cases where special metering facilities are desired by the consumer. All meters will be tested at the time of their installation and no meter will be placed in service or allowed to remain in service which has an error of registration in excess of two per cent under the conditions of normal operation. Upon giving the company at least five days notice, the consumer shall have the right at any time to require the company to test his service meter in his presence, or, if he

so desires, in the presence of an expert or other representative appointed by him, provided, however, that if special tests are required by the consumer oftener than once in six months, a reasonable charge shall be made for each such additional test.

4. The rates, rules, regulations and contracts herein established shall be effective May 1, 1916, except that the meter rates shall be applicable to the readings taken by Mt. Whitney Power and Electric Company during the calendar month of May, 1916.

5. This order shall supersede the order of April 6, 1916, in the above entitled proceedings.

6. The petition for rehearing herein is hereby denied.

Dated at San Francisco, California, this 22^d day of April, 1916.

Max Thelen

H. B. ...

...

Frank R. ...

Commissioners.