

BEFORE THE RAILROAD COMMISSION  
OF THE STATE OF CALIFORNIA.

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ORIGINAL

JOHN LYTER

Complainant

-vs-

THE CHINO WATER COMPANY

Defendant

Case No. 1214

H. W. STANTON

Complainant

-vs-

THE CHINO WATER COMPANY

Defendant

Case No. 1215

John Lyter and H. W. Stanton, each  
for himself  
Clair S. Tappaan for Chino Water Company

BY THE COMMISSION

O P I N I O N

Complainants herein are similarly situated in respect to service rendered them by the defendant herein. It was stipulated at the hearing that the cases may be consolidated for hearing and decision.

The complainants herein allege in effect that defendant is a public utility maintaining its principal place of business at Chino, California; that at times since 1906 defendant furnished to complainants water for irrigation, but from time to time during said period the defendant refused to supply water for the use of said complainants, wherefore complainants have petitioned this Commission for an order requiring defendant to serve their said property without arbitrary interruptions of

service and further be required to remove all discriminatory limitations of service and to place complainants on a parity with other users of the defendant's water service.

The answer alleges that in few instances only it has delivered water to persons other than its stockholders and that its sole purpose with few exceptions has been to furnish water to its stockholders and that it does not operate for financial gain.

At the hearing held in relation to the matter, the complainants testified that at no time during which water was received by them from the defendant had they received anything but good service and that at the present time everything was entirely satisfactory and nondiscriminatory both as to service and to rates. The only question remaining is one which is unnecessary to a decision here, namely whether or not the Chino Water Company, defendant herein, is a mutual water company inasmuch as complainants are by their own admissions receiving water from this company in such quantities, at such times and at such prices as to them are reasonable. A further hearing for the purpose of determining from the history of defendant herein whether it is a mutual water company or a public utility, would be solely for the purpose of deciding a question which is unnecessary at this time.

#### O R D E R

JOHN LYTER and H. W. STANTON having petitioned the Railroad Commission for an order declaring that The Chino Water Company be required to serve water to their property without arbitrary interruptions of service and requiring said

company to remove all discriminatory limitations of service and to place complainants on a parity with other users of the defendant's water service, a public hearing having been held, the matters having been submitted and being now ready for decision,

IT IS HEREBY ORDERED that the complaints herein be, and the same hereby are dismissed, without prejudice.

Dated at San Francisco, California, this 15<sup>th</sup> day of January, 1919:

Edwin O. Edgerton  
W. L. Love  
Frank R. Dyer  
H. V. Brundage

Commissioners