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Decision No. 7868

ORIGINAL

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA

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NEW IDRIA QUICKSILVER MINING COMPANY,
a corporation,

Complainant,

- vs -

COAST VALLEYS GAS & ELECTRIC COMPANY,
a corporation,

Defendant.

Case No. 1451.

BY THE COMMISSION:

O P I N I O N

New Idria Quicksilver Mining Company, supplied with electricity by Coast Valleys Gas and Electric Company, alleges an overcharge in the sum of \$1,485 for service rendered for the 11 months ending February 25th, 1920, and asks that same be not allowed defendant.

Complainant is charged by defendant for service in accordance with a rate set forth in a contract between the parties hereto, dated April 8th, 1918, which provides that the Consumer shall pay the Power Company an annual minimum of \$9,000, and further provides that the Power Company shall render its bills monthly. There are numerous other provi-

sions in this contract, which, however, do not bear directly upon the issues herein.

It appears that the complainant's use of electricity during the period above mentioned did at no time exceed the minimum charges of the contract, whereupon the defendant rendered a monthly minimum bill of \$750. Defendant, however, through inadvertence, failed to add to the monthly minimum bills of \$750 each, the 20 percent surcharge authorized it in accordance with Decision No. 6193 of this Commission in Application No. 4218 of the Coast Valleys Gas and Electric Company for authority to increase its rates for electricity, and, upon discovering this error, rendered complainant, on February 20th, 1920, a bill correcting its previous omissions of the surcharge.

The order in Decision No. 6193 supra authorized defendant herein to charge and collect for energy sold for power purposes a surcharge of 20 percent of monthly bills, effective on all regular meter readings taken on and after the 20th day of March 1919. It, therefore, appears that for all service rendered by defendant to complainant from the 25th day of March 1919 to the 25th day of February 1920 the proper charge for such service was the monthly minimum charge of \$750 per month provided for in the above mentioned contract and, in addition thereto, the surcharge of 20 percent of said monthly minimum charges.

The fact that the defendant, through oversight, failed to bill the surcharge, which, in accordance with the order of this Commission was a proper part of its rates and charges for electricity, does not absolve the complainant from the payment of such proper charges.

O R D E R

Complaint having been filed by New Idria Quicksilver Mining Company against Coast Valleys Gas and Electric Company involving the propriety of certain charges for service rendered for the 11 months ending February 25th, 1920, defendant having filed its answer thereto, and the Railroad Commission of the State of California, after investigation, being of the opinion that the duly authorized surcharge of 20 percent in addition to the monthly minimum bills rendered by defendant to complainant are proper charges and in accordance with the contract between the parties hereto and the orders of this Commission, and being further of the opinion that a hearing is not necessary in this matter,

IT IS HEREBY ORDERED that the above entitled proceeding be, and the same is, hereby dismissed.

Dated at San Francisco, California, this 12th

day of July, 1920.

Emil C. Edgerton

H. B. Woodland

Frank R. Wynn

Living Martin

Commissioners.