

Decision No. 7946

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of PACIFIC GAS AND ELECTRIC COM-  
PANY, a corporation, for an order  
of the Railroad Commission of the  
State of California authorizing  
applicant to increase its rates  
and charges for electric energy.

ORIGINAL

Application No. 5567.

BY THE COMMISSION.

OPINION ON APPLICATION FOR RE-HEARING

The United Railroads of San Francisco has filed with the Commission, in the above entitled proceeding, an application urging that the Commission modify its decision so that the surcharge referred to in Commission's Decision No. 7823 shall not apply to electric service to the United Railroads, also urging that the terms and conditions covering the service and rates for power to United Railroads of San Francisco be as set forth in a certain contract dated August 30, 1909, between Sierra and San Francisco Power Company and United Railroads of San Francisco, which contract has a period of fifteen years to run from and after December 31, 1909; that the rates for power paid by the United Railroads under said contract are in excess of the rates paid by the principal street railroad corporations in the State of California; that to further increase the rate will result in unjust discrimination against said United Railroads and, further, that the Commission's Decision No. 7823,

dated June 30, 1920, is in violation of the 5th and 14th amendments to the Constitution of the United States of America and is likewise in violation of Article 1, Sections 13, 14, and 16, of the Constitution of the State of California as it existed prior to the amendment to said Constitution in 1911 creating the Railroad Commission.

The points raised by the petition of the United Railroads of San Francisco and the matters therein urged were given due consideration by the Commission in connection with its Decision No. 7823 supra, and the Commission again finds that the surcharge heretofore authorized is just and reasonable.

O R D E R

The United Railroads of San Francisco having filed a petition requesting a modification of the Commission's Decision No. 7823 in Application No. 5567, dated June 30, 1920, and the matters having been given due consideration by the Commission, the Commission hereby finds as a fact that the request of petitioners is not justified. Basing its order on the foregoing matters of fact,

IT IS HEREBY ORDERED that the petition of the United Railroads of San Francisco be and the same is hereby dismissed.

Dated at San Francisco, California, this 29 day of August, 1920.

*Emil P. Edgerton*  
*H. D. Loveland*  
*Frank H. Allen*

Commissioners.