

Decision No. 8227.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

Roseville Water Users Association, )  
Complainants. )

vs. )

Roseville Water Company, a Corporation, )  
Defendants. )

Case No. 1127.

A. J. Harder for Complainants.  
James D. Meredith for Defendant.  
J. B. Gibson for City of Roseville.

BY THE COMMISSION.

OPINION AND ORDER ON REHEARING

This is a matter in which the Railroad Commission issued its order (Decision No. 5735) on September 5, 1918, establishing a certain schedule of rates to be charged for domestic and municipal service in the City of Roseville. Thereafter, the City of Roseville filed a petition for rehearing, alleging that it had not had proper notice of the hearing in the above entitled matter and protesting against the rate established for fire hydrant rental to the municipality.

Pursuant to this action, on September 19, 1918, the Railroad Commission made its order suspending the effective date of Decision No. 5735 during the pendency of said application for rehearing. Thereby the rates established by Ordinance No. 76 of the City of Roseville became the legal rates, and these rates have remained in force and effect since that time.

On January 22, 1919, a further hearing was held on the petition of the City of Roseville for rehearing, and all interested

parties, including the City of Roseville, were duly notified and given an opportunity to appear and be heard.

In another proceeding before this Commission (Application No. 4157, filed October 14, 1918), Roseville Water Company made application to the Commission for authority to increase its rates. This matter was assigned for hearing, but the date thereof postponed from time to time until on September 23, 1919, at the request of applicant, the matter was removed from the Commission's calendar. On September 30, 1920, a written request for the dismissal of this application was filed, indicating that applicant did not desire to pursue the matter further, and thereupon said application was dismissed.

It now appearing that the effective date of this Commission's order in Decision No. 5735 having been suspended as indicated above, and therefore the rates established therein never having become effective, and the rates established by Ordinance No. 76 of the City of Roseville having at all times been the legal rates in effect, and it further appearing that at this time Roseville Water Company does not desire to ask this Commission for authority to increase its rates,

IT IS HEREBY ORDERED that this Commission's Decision No. 5735 in the above entitled matter be, and it is hereby rescinded and set aside, and

IT IS HEREBY FURTHER ORDERED that the complaint in the above entitled matter be, and it is hereby dismissed, without prejudice.

Dated at San Francisco, California, this 11<sup>th</sup> day of October, 1920.

Edwin G. Edwards  
H. D. Loveland  
H. B. Brundage  
Waring Marshall  
Commissioners.