

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
James A. Murray, Wm. G. Henshaw and)
Ed Fletcher, copartners, doing busi-)
ness under the name and style of the)
Cuyamaca Water Company for an order)
authorizing and permitting an increase)
in the rentals, tolls and charges for)
water furnished by them and service)
rendered by them in furnishing water)
in the County of San Diego.)
Application No. 4515

In the Matter of the Application of)
James A. Murray, Wm. G. Henshaw and)
Ed Fletcher, doing business under the)
firm name and style of the Cuyamaca)
Water Company, for an order authoriz-)
ing and permitting them to place a)
surcharge upon their present rentals,)
tolls and charges for water furnished)
by them, such surcharge being necessary)
on account of the increased cost of)
operation.)
Application No. 4670

Robert Ross et al.,)
Complainants,)

-vs-

James A. Murray et al.,)
Defendants.)

Case No. 1272

BY THE COMMISSION:

OPINION AND ORDER DENYING REHEARING

Application for rehearing was filed herein on October 8, 1920, by John C. Brewer and a large number of other consumers. This application, among other things, sets forth that the opinion and order as to which rehearing is sought (Decision No. 8145), is in error in stating that the parties

to the proceeding stipulated that the records of all prior proceedings concerning the applicant water company should be deemed in evidence as part of the record in this proceeding. An examination of the transcript indicates that applicants are correct in this contention, the fact being that such records of prior proceedings were ordered by the Commissioner presiding at the hearing to be admitted in evidence as a part of the record in this proceeding. Applicants, however, did not consent to such order, but objected thereto.

Inasmuch as the statement complained of appears only in the opinion, and constitutes no part of the order as to which rehearing is sought, it is not deemed material in passing upon the application for rehearing.

After fully considering the matters set forth in the application on the grounds therein specified for rehearing, the Commission is of the opinion, and therefore orders, that the said application for rehearing should be, and the same is hereby, denied.

Dated at San Francisco, California, this 4th day of January, 1921.

H. J. Loveland
Frank R. DeWitt
H. B. Ludwig
Erving Martin
Commissioners.