

Decision No. 8596

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ROSE E. UTZ, ET AL.,
COMPLAINANTS.
vs.
FRED MEYERS, doing business
under the name and style of
the PULLMAN WATER COMPANY,
DEFENDANTS.

CASE NO. 1470.

ORIGINAL

D. J. Hall for City of Richmond
and Rose E. Utz.

C. A. Odell for Pullman Water Company.

MARTIN, Commissioner.

O P I N I O N

Complainants in the above entitled matter are consumers of water for domestic and other purposes, from the public utility water system owned by Fred Meyers, known as the Pullman Water Company, which distributes water to inhabitants in the City of Richmond, Contra Costa County. In this proceeding complainants, some twenty-five in number, allege in effect that defendant has charged rates for water service in excess of those authorized by this Commission; that bills are rendered without the meters having been read; that the water bills fail to show the meter readings; and that defendant Meyers at all times acts in an arbitrary and unreasonable manner in the conduct of his utility business.

The answer of defendant to the complaint denies practically all of the allegations set out therein, but it is admitted that due to a misinterpretation of the rates authorized by this Commission an overcharge was made for the first two months that the Commission's order was in effect. It appears that the total of such overcharges amounts to approximately \$350.

The hearing in this complaint was held in conjunction with a further hearing in the matter of the application of Pullman Water Company for authority to increase rates (Application No. 2529).

At the hearing complainants in this matter presented but little evidence in support of their allegations, but from an investigation, it appears that the relations between utility and consumers under this system do not tend toward satisfactory service conditions. A public utility cannot attain a high standard of efficiency in service if its relations with its consumers are not harmonious, and it is the duty of this utility to adopt such measures in dealing with the public as will insure a spirit of cooperation instead of antagonism.

The amount of money which was inadvertently charged in the form of incorrect rates should be returned to the consumers so charged.

O R D E R

Complaint having been filed with the Railroad Commission as entitled above, a public hearing having been held and the matter having been submitted,

IT IS HEREBY FOUND AS A FACT, that defendant in this proceeding has charged rates for service in excess of the rates established by the Commission;

And basing its order upon the foregoing finding of fact and the other statements of fact contained in the opinion which pre-

cedes this order,

IT IS HEREBY ORDERED, that Fred Meyers, doing business under the name and style of the Pullman Water Company, be and he is hereby directed to return to each consumer all money improperly collected over and above the rates established by the Railroad Commission in its order (Decision No. 7494) dated April 26, 1920, said money to be returned within thirty (30) days of the date of this order.

IT IS HEREBY FURTHER ORDERED, that Fred Meyers be, and he is hereby directed to render a certified statement to the Commission indicating the name of each consumer to whom refund has been made in accordance with the terms of this order, and the amount of each respective refund, said statement to be rendered within ten (10) days from the time indicated above when all money shall have been returned.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 26th day of January, 1921.

H. D. Loveland
Frank R. Deven
H. G. Gougeon
Irving Martin
Commissioners.