

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
the South San Joaquin Irrigation)
District, for an order authorizing) Application No. 3526.
the establishment of a water rate)
and regulation.)

BY THE COMMISSION:

ORDER OF DISMISSAL FOR LACK OF JURISDICTION.

Application having been filed herein by the South San Joaquin Irrigation District for an order by this Commission, fixing the rate or charge to be collected by applicant for water furnished to Frankenheimer Brothers, consumers under the water system maintained by applicant, and said Frankenheimer Brothers, in response to an order to show cause issued by this Commission, having appeared and filed a motion for the dismissal of said application upon the ground that the Commission has no jurisdiction over the applicant, or the subject matter of said application, public hearings having thereafter been had and evidence introduced, briefs filed and the matter submitted, and it now appearing that the applicant herein, the South San Joaquin Irrigation District, is a public corporation and not a public utility, subject to regulation by this Commission;

IT IS HEREBY ORDERED, that said application be, and the same is hereby, dismissed.

IT IS FURTHER ORDERED, that the following described documents, submitted as evidence and filed with this Commission, in course of the hearings on the above entitled application, may be withdrawn by the parties by whom they were offered in evidence.

1. Abstract No. 662, entitled "Abstract of Title and Certificate of Search to the Ditch Property of the Consolidated

Stanislaus Water & Power Company," dated August 1, 1907, at five o'clock P. M.

2. Abstract of Title, supplementary to the above described Abstract and Certificate of Search No. 662, made by the Stanislaus Land & Abstract Company, under date of December 1, 1913, at five o'clock P. M.

Dated at San Francisco this 30th day of July, 1921.

H. B. Brundage

H. S. Howard

James Martin

