

Decision No. 26755.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

War Department of the
United States Government,

Complainant,

vs.

Pacific Gas and Electric Company,

Defendant.

Case No. 3655.

BY THE COMMISSION:

ORDER OF DISMISSAL

This case constitutes a request on the part of the War Department, United States Government, for electric service at Hamilton Field, Marin County, California, under Pacific Gas and Electric Company's electric schedule P-6.

Complainant receives service under defendant's legally filed General Power Schedule P-1 and has heretofore requested electric service from defendant under either Schedule P-5, applicable only to industrial consumers, or Schedule P-6, applicable only to other electric utilities or municipalities for distribution and resale of electric energy to the general public. Defendant has refused such request but offered a special rate in lieu thereof, higher than either said P-5 and P-6 schedules but lower than Schedule P-1.

General Order No. 45 of this Commission, issued in accordance with the provisions of Section 17 of the Public Utilities

Act, provides that any public utility of this State, other than a common carrier, may, if it so desires,

"***** grant free or reduced rate service to the Federal and State Governments and the political subdivisions thereof, including the departments thereof; *****."

The utility may grant rate concessions to the Government under the law and General Order as above noted, but the Commission cannot require or order a utility to grant special concessions to the Government or other political subdivisions in violation of the rate schedules legally on file for the different classes of consumers. Therefore, good cause appearing,

IT IS HEREBY ORDERED that the above entitled complaint be, and the same is hereby, dismissed.

Dated at San Francisco, California, this 29th day of January, 1934.

O.C. Leaneu
Leon Whittle
W.H. Johnson
M.B. Young
Malcolm Ward

Commissioners.