

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
MARKET STREET RAILWAY COMPANY for an
Order of the Railroad Commission in-
stituting a formal investigation upon
its own motion as to the rates charged
by Pacific Gas and Electric Company
for electric energy sold by it to
Market Street Railway Company.

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) Application No. 20,337
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In the Matter of the Investigation on
the Commission's own motion into the
reasonableness of the rates, rules,
regulations, charges, contracts, sched-
ules, practices, and operations, or
any of them of PACIFIC GAS AND ELECTRIC
COMPANY, in supplying electric energy
to street railways in the City and
County of San Francisco and in the
County of San Mateo, State of California.

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) Case No. 4105
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BY THE COMMISSION:

OPINION ON PETITION FOR REHEARING

The Market Street Railway Company has petitioned for a rehearing of the Commission's Decision 29286 of November 23, 1936, directing a dismissal of the above entitled matters.

The Commission's investigation upon its own motion was in response to the petition of the Market Street Railway Company complaining of the charges made by the Pacific Gas and Electric Company for electric service rendered for railway power uses under its P-9 Schedule. The Commission concluded, after hearing, that the evidence before it did not justify the making of any finding on this issue.

We are of the opinion that no determination of the rates reasonably to be charged for this class of electric service should be made without evidence as to the actual cost of such service. An adequate

study of this nature will take some time to prepare, and should cover not only the cost of service to the petitioner herein but also to the other railroad and street railway consumers of electric energy for motive power which may now be receiving service under the same schedule. We believe, however, that this should be done, and trust that with the cooperation of the companies receiving such power service, and of the utility itself, the necessary data may be presented without undue delay.

Accordingly, the order herein will grant the petition for rehearing and will also enlarge the scope of the investigation to permit the presentation of evidence relative to the reasonableness of the charges of Pacific Gas and Electric Company to all consumers of electric energy for motive power.

O R D E R

Good cause appearing, IT IS ORDERED as follows:

1. That the petition for a rehearing of Decision No. 29286 filed by Market Street Railway Company is hereby granted.
2. That the title of Case No. 4105 is hereby amended to read as follows:

"In the Matter of the Investigation on the Commission's own motion into the reasonableness of the rates, rules, regulations, charges, classifications, contracts, schedules, practices and operations, or any of them, of PACIFIC GAS AND ELECTRIC COMPANY, in supplying electric energy used for motive power to 'street railroad corporations,' 'railroad corporations,' or municipally owned street railway systems in California."

3. That the scope of the Commission's investigation in Case No. 4105 is hereby enlarged to include the reasonableness of the rates, rules, regulations, charges, classifications, contracts,

schedules, practices and operations, or any of them, of PACIFIC GAS AND ELECTRIC COMPANY, in supplying electric energy used for motive power to "street railroad corporations," "railroad corporations," or municipally owned street railway systems in California, to determine whether such rates, etc., or any of them, are unjust or unreasonable or discriminatory in any particular, and to establish just, reasonable, and nondiscriminatory rates, etc., for such service.

4. That public hearing in the above matters be had before COMMISSIONER WHITSELL on TUESDAY the 23rd day of February, 1937, at 10 o'clock a.m., in the Courtroom of the Railroad Commission, Fifth Floor, State Building, San Francisco, California.

5. That the Secretary cause a certified copy of this opinion and order to be served by registered mail upon PACIFIC GAS AND ELECTRIC COMPANY at least ten (10) days prior to said hearing, and cause a certified copy to be mailed to California Street Railroad Company, Central California Traction Company, Key System, Market Street Railway Company, Northwestern Pacific Railroad Company, San Jose Railroads, Petaluma and Santa Rosa Railroad Company, Sacramento Northern Railway, Stockton Electric Railroad Company, Tidewater Southern Railroad Company, San Francisco and Napa Valley Railroad, and Municipal Railways of San Francisco.

Dated at San Francisco, California, this 1st day of February, ~~January~~ 1937.

Matthew W. Mason
Leon J. Whitwell
Frank H. Miller
Raymond W. [unclear]
Ray L. [unclear]
Commissioners