

Decision No. 36257

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Emergency Rules and Regulations and Practices of Gas, Electric, Telephone, and Water Utilities in the Furtherance of National Defense.

ORIGINAL

Case No. 4619

BAKER, COMMISSIONER:

SECOND SUPPLEMENTAL ORDER

It appears to the Commission that the public interest requires that gas, electric, telephone, and water utilities be ordered to make an appropriate emergency revision of their filed rules and regulations governing the extension of their mains, lines and services, particularly with reference to the means of refund and the period of time in which such refund might be made. This condition has been brought about by the fact that materials are no longer generally available for the construction of new homes, and as a result many advances have been made on lines erected or mains laid with partial or no service now being rendered, and that relief should be accorded to customers who have been required to deposit funds for line extensions prior to the present time. The Commission staff has recommended a proposed emergency rule which it believes will meet this situation and which reads as follows:

"Recognizing that war-imposed limitations due to materials shortages have greatly hampered both the construction of new residences and the extension of lines, mains and services, and that these conditions have prevented and will probably continue to prevent the connection of new consumers to line, main and service extensions upon which advance deposits have been made, it is deemed necessary, in the interest of equity, to extend the term of such deposit contracts. Accordingly, the terms of all advance deposit contracts covering lines, mains and services, except those where the refund period terminated prior to December 8, 1941, are hereby lengthened by a period equal to the duration of the war, and for six months thereafter, provided that such extension of term shall not exceed five years, and provided further that if it becomes necessary to replace in excess of 50% of a line or main covered by any particular contract at any time subsequent to the original expiration date thereof, then such contract will immediately terminate."

THEREFORE, IT IS ORDERED that a public hearing be had in the above entitled proceeding for the purpose of considering the adoption of such rule or a modification thereof, said hearing to be had before Commissioner Baker at the State Building, San Francisco, California, at 10 a.m. on Monday, the 12th day of April, 1943.

Dated at San Francisco, California, this 23rd day of March, 1943.

Francis P. Stebbins
J. M. M.
Justus J. Casper
Richard R. Ragsdale
James C. C.

~~EXHIBIT AG-A-1105-001~~

~~Secretary, Railroad Commission
of the State of California~~