STUDENT NOTES

DIRECT RESORT TO THE COURTS TO RECOVER RATE OVERCHARGES FOR UTILITY SERVICE

The problem herein discussed may, for present purposes, be confined to the narrow question of whether, in a claim for overcharges, the effect of the Public Service Commission's order or orders presents a judicial or administrative question where the claim is based on a schedule of rates fixed by the Public Service Commission or where such claim is based on the determination of what duly enacted schedule of rates was in existence at a given time.

Any discussion of this nature necessitates determining the relative functions of administrative bodies and the courts. The jurisdiction of an administrative body depends entirely on the statutory grant. Such a body must act strictly within the limits of its jurisdiction and in the absence thereof its determinations