

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ROSE T. MCKENNA,

Complainant,

vs.

PACIFIC GAS & ELECTRIC COMPANY,
a corporation,

Defendant.

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: Case No. 2273
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BY THE COMMISSION:

ORDER

Hearing having been had upon the motion of Defendant above named to strike out certain matter contained in the complaint herein, which was alleged to be irrelevant and immaterial, and it being the opinion of this Commission that said matter is in fact irrelevant and immaterial,

IT IS HEREBY ORDERED that those portions of the complaint in the within proceeding which follow be, and the same are stricken from said complaint:

"That said dam was unsafely, negligently and improperly constructed by said Pacific Gas and Electric Company, in that the engineering designs whereby the new wall was run up at a sharp angle and without the binding of the rocks in the wall with cement, etc., as the wall was raised were improper.

"That improper engineering plans were followed in that the old dam which was used as a foundation was found upon investigation to be of loose construction incapable of carrying the

weight of the superimposed structure.

"That to the knowledge of the principal officers in charge of the work the foundation was not of a type sufficient to hold the wall.

"That the dam collapsed on August 28, 1925, causing the death of three men, and injuring several others." And

IT IS FURTHER ORDERED that within ten (10) days from and after the date hereof, defendant answer said complaint, and

IT IS FURTHER ORDERED that the Secretary of this Commission serve upon defendant a copy of the within order.

Dated at San Francisco, California, this 18th day of November, 1926.

H. B. Burdige
O. S. ...
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Commissioners