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ORIGINAL

Decision No. 5322

Decision No. \_\_\_\_\_

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

MARIE LUMLEY, et al  
Complainants.

vs.

CENTRAL CALIFORNIA GAS COMPANY,  
a corporation  
Defendants.

Case No. 1077

F. J. Schuhl, for Marie Lumley,  
Power and McFadzean, for S. Mitchell, Receiver  
Central California Gas Company.

BY THE COMMISSION.

O P I N I O N

The complainants in this proceeding are residents of the City of Porterville and are consumers of gas served in that territory by the Central California Gas Company, defendants herein.

Complaint herein was filed May 14, 1917 and alleges in effect that for many months prior to the filing of said complaint defendants have, during a portion of the day, failed to furnish gas to the inhabitants of the City of Porterville, and that

for several days in the month of April 1917 defendant failed to furnish gas to any of the inhabitants of the City of Porterville after 4:15 P. M. each day. Complainants pray that defendants be directed by this Commission to remedy conditions surrounding the service complained of.

Hearings were held in this matter at Porterville before Examiner Encell on December 18, 1917 and at Visalia on March 15, 1918.

At the hearing held at Porterville on December 18, 1917, Susman Mitchell as receiver of the defendant gas company appeared and substantially admitted the allegations of the complaint. He further testified that in managing the property as receiver appointed on behalf of the bondholders of said property, he was taking such steps as were possible to remedy existing conditions.

At this hearing certain recommendations were made by Mr. W. J. Hammond, assistant engineer of the Commission's Gas and Electric Department, regarding certain plant adjustments necessary in order to give better service to the residents of Porterville. The matter was then continued by the consent of all parties for a period of 60 days within which time it was agreed on the part of the Receiver that the adjustments would be made as recommended.

At the hearing held at Visalia on Friday, March 15, 1918, there was no appearance on behalf of any complainants. The manager of the utility testified that the improvements suggested by Mr. Hammond had been made and that there had been no complaint relative to service since that installation.

#### O R D E R

Complainant having applied to the Railroad Commission for an order directing the defendant, Central California Gas Company,

a corporation, to remedy certain defects in the service of its consumers at Porterville, California, and it appearing to the Commission after public hearings in relation thereto that certain improvements have been made in the distributing system of the Central California Gas Company which will probably remove the cause of complaint and the Commission having fully considered the facts and proofs adduced and all and singular being advised in the premises;

NOW THEREFORE, IT IS HEREBY ORDERED that the complaint herein be and it is hereby dismissed.

Dated at San Francisco, California, this 18th day of April, 1918.

Max Thelen

H. B. Loveland

Alfred Gordon

Edwin O. Eggerton

Stanley R. Berlin

Commissioners.