

ORIGINAL

Decision No. 46652

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JAMES KILBURG CORPORATION, a)
California corporation,)

Complainant,)

vs.)

Case No. 5223

THE PACIFIC TELEPHONE AND)
TELEGRAPH COMPANY, a corpora-)
tion,)

Defendant.)

O R D E R

Complainant, James Kilburg Corporation, having moved this Commission for an order permitting it to give evidence with respect to its failure to comply with interim order bearing Decision No. 45942, dated July 10, 1951.

Now, upon reading the motion dated September 14, 1951, the opposition and reply thereto of the defendant dated October 1, 1951, the affidavit of James Kilburg sworn to December 10, 1951, the affidavit of Hubert L. Kertz sworn to December 20, 1951, and after hearing Allan P. Matthew, counsel for complainant, in support of said motion, and Noel Dyer, counsel for the defendant, in opposition thereto,

IT IS ORDERED:

(1) That the above-entitled proceeding shall be set down for further hearing limited to receiving the testimony of James Kilburg with respect to the failure of the complainant, James Kilburg Corporation, to comply with the interim order of this Commission bearing Decision No. 45942, dated July 10, 1951, and to

the necessity of tests, if any, of the Dialaphone, and their time, place and scope.

(2) That such hearing shall be held before Commissioner Harold P. Huls at such time and place as he may deem meet and just.

Dated at San Francisco, California, this 15th day of January, 1952.

A. J. Davidson
President

Justus F. Chalmer
Harold P. Huls

Robert E. Mitchell

Commissioners