

ORIGINAL

Decision No. 46784

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
JOE CONIFF and EMILY CONIFF, his wife)
for a Certificate of Public Convenience)
and Necessity to Operate a Water System) Application No. 32019
in FRUITRIDGE GARDENS, County of)
Sacramento, State of California.)

OPINION AND ORDER

The above-entitled application was filed January 5, 1951. On March 28, 1951 a public hearing in the matter was held in Sacramento. Neither of the applicants was present at that hearing but applicants' attorney appeared and requested adjournment to a later date, stating that further time was needed for applicants to negotiate the obtaining of a county franchise and the sale of property to Southern California Water Company. With applicants' attorney being unable to proceed, the hearing was adjourned to a date to be set.

Since the original hearing, correspondence discloses that Southern California Water Company has entered into no negotiations with applicants, that applicants' attorney has been unable to contact applicants with regard to this proceeding, and applicants have never published or served the prescribed notices.

The matter was again set for hearing and on January 10, 1952, applicants were directed to publish notice of the hearing and to notify each of their customers. The adjourned hearing was thereafter held before Examiner Emerson in Sacramento on January 24, 1952. Applicant Joe Coniff appeared at this hearing.

His counsel did not appear. Applicants had not complied with the Commission's directive with respect to notification and, again, it was impossible to proceed. There is no record in this proceeding by which anything other than a lack of interest or intent to engage in utility operations is apparent; therefore,

IT IS HEREBY ORDERED that said application is dismissed.

Dated at San Francisco, California, this 19th day of February, 1952.

R. J. [Signature]
President.
James P. [Signature]
Harold [Signature]

Commissioners.