

**ORIGINAL**Decision No. 51525

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

John E. Reeves, J. Douglas Furber, )  
 John A. Hilburn, Charles R. Ackman, )  
 Joseph F. Abate, William Hatcher, )  
 John James Rakish, Hillis Hubbard, )  
 Joseph F. Triano, Frank Berardi, )  
 Steve Cornaglia and Anne G. )  
 Hollister, )

Complainants,

vs.

California Water Service Company,

Defendant. )

Case No. 5547

OPINION AND ORDER

The above-entitled complaint was filed May 11, 1954 and alleged in substance that the defendant utility has refused to supply water service to each property and resident in an area known as Portola Mesa, west of the City of San Carlos, San Mateo County. Complainants collectively receive water service from defendant through a single water meter and make deliveries to their individual properties by means of a cooperative distribution system.

The examiner assigned to this matter for the taking of evidence has been in monthly contact with complainants' attorney, since August 1954, in an attempt to bring the matter to hearing and to a conclusion. The matter was placed upon the Commission's hearing calendar on December 6, 1954 and was set to be heard on January 11, 1955. On December 12, 1954, the matter was removed from the calendar at the request of complainants' attorney. Since that time the examiner has continued his efforts to bring the matter to conclusion and on March 28, 1955 informed complainants' attorney that

if complainants were not ready to proceed by the end of April 1955 the Commission would consider dismissal of the complaint for lack of prosecution. No further word has been received from complainants. More than one year now having passed since the filing of this complaint and with no willingness to proceed on the part of complainants being apparent, good cause appears for the dismissal of said complaint; therefore,

IT IS ORDERED that said complaint be and it is hereby dismissed.

Dated at San Francisco, California, this 31<sup>st</sup> day of May, 1955.

[Signature]  
President  
[Signature]  
[Signature]  
[Signature]  
Commissioners