

ORIGINAL

Decision No. 54003

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Kathie Zahn,
 Complainant,
 vs.
 Key System Transit Lines,
 a corporation,
 Defendant.

Case No. 5680 ✓

ORDER OF DISMISSAL

The complaint herein, filed September 23, 1955, requests that the Commission void its Resolution No. ET-773, dated September 6, 1955, pertaining to a change of schedule on defendant's "G" bus line, and that defendant be required to file a formal application and proceed to hearing in connection with such change of schedule.

The answer, filed October 14, 1955, among other matters sets forth certain facts alleged to justify the adoption of Resolution No. ET-773.

The case was set for hearing to be held February 1, 1956, but was removed from the calendar, at complainant's request, on January 5, 1956. Complainant was then requested to advise the Commission by April 30, 1956, of a date convenient for her to proceed with the hearing and that failing receipt of such advice the Commission would consider a motion by defendant to dismiss the case for lack of prosecution.

Complainant has not requested a hearing. Defendant, by letter from its counsel, dated September 24, 1956, has requested that the complaint be dismissed for lack of prosecution.

The complaint should be dismissed for lack of prosecution.

Therefore, good cause appearing,

IT IS ORDERED that the complaint herein, filed September 23, 1955, be and it hereby is dismissed.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 30th day of OCTOBER, 1956.

E. M. Bissell
 President

Paul J. Winterer

William D. Dale

R. Huntz

Commissioners