

ORIGINALDecision No. 56973

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

William Alexander, Catherine Alexander,)
Elise P. Alexander,

Complainant,

vs.

Case No. 6052

San Jose Water Works, a corporation,

Defendant.

ORDER OF DISMISSAL

Complainant filed a complaint on February 5, 1958, requesting an order directing defendant not to require complainant to pay for installation of off-tract facilities in connection with extension of defendant's water service to Tract No. 2026, within the City of San Jose.

On March 6, 1958, complainant wrote the Commission stating that defendant intended to revise its estimates for the extension to exclude costs of off-tract facilities and requested that the proceeding be held in abeyance pending recordation of the subdivision and presentation of a formal main extension agreement by defendant to complainant, in which case complainant would withdraw the complaint. Defendant's time to answer the complaint has expired.

On May 29, 1958, defendant wrote the Commission stating that the parties, on May 28, 1958, had entered into an extension agreement and that complainant had deposited the required amount with defendant.

On June 13, 1958, the Commission wrote complainant asking that he request dismissal of the complaint or indicate a date on which he would be ready to proceed to a hearing, and advised him

that unless the Commission heard from him by June 20, 1958, an order for dismissal of the complaint would be presented to the Commission for its action. No response has been received to the Commission's letter.

Therefore, good cause appearing, IT IS ORDERED that the complaint herein, filed February 5, 1958, be and it hereby is dismissed.

Dated at San Francisco, California, this 15th day of July, 1958.

[Signature]
President
[Signature]
[Signature]

Commissioners