

ORIGINAL

Decision No. 63117

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

David Duval,

Complainant,

vs.

The Pacific Telephone and
Telegraph Company,

Defendant.

Case No. 7176

Lawler, Felix & Hall, by A. J. Krappman, Jr.,
for defendant.

Roger Arnebergh, by Charles William Sullivan,
for intervener.

ORDER OF DISMISSAL

By the complaint herein, filed August 18, 1961, David Duval requests an order of this Commission that the defendant, The Pacific Telephone and Telegraph Company, a corporation, be required to install telephone service at 3414 Maple Street, Los Angeles, California.

By Decision No. 62479, dated August 29, 1961, in Case No. 7176, the Commission ordered that the defendant restore telephone service to the complainant pending a hearing on the matter.

On September 8, 1961, the telephone company filed an answer, the matter was set down for hearing on October 20, 1961, and all parties were notified.

A public hearing on the complaint was scheduled for Los Angeles, California, on October 20, 1961, before Examiner

Robert D. De Wolf, adjourned to November 17, 1961, and then adjourned to December 8, 1961. Complainant failed to appear at any of said scheduled hearings although duly notified of the time and place.

The attorney for the defendant, on December 8, 1961, moved to dismiss the complaint on the ground that complainant has failed to appear and argue his complaint,

Therefore, IT IS ORDERED that the complaint of David Duval, Case No. 7176, is dismissed without prejudice, and Decision No. 62479, dated August 29, 1961, is hereby vacated and set aside.

Dated at San Francisco, California, this 16th day of JANUARY, 1962.

Ernest All Page
President

John L. Gardner

E. Lynn Fox

George T. Hoover

Fredrick B. Hohlhoff
Commissioners