

ORIGINAL

66150

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

1. JOHN FRANCIS DONOVAN, III
2. AMEROSE SIMMONS,

Complainants,

vs.

GENERAL TELEPHONE CO., of CALIFORNIA,
doing business in Santa Barbara,
California.

Defendant.

Case No. 7479

(Filed November 8, 1962;
amended December 3, 1962)

A. M. Hart & H. Ralph Snyder, Jr., by
H. Ralph Snyder, Jr., for defendant.
Rolla J. Weiser, for the Commission
staff.

ORDER OF DISMISSAL

The above-entitled complaint was filed on November 8, 1962, and amended on December 3, 1962. By Decision No. 64736, dated January 8, 1963, the Commission dismissed the original complaint and the first paragraph of the amended complaint.

A hearing was held in Santa Barbara on March 14, 1963, and the matter was submitted. On April 23, 1963, the submission was set aside by Decision No. 65258, which reopened the matter for further hearing. Thereafter, at the request of the complainant, John Francis Donovan, III, the matter was set for hearing in Santa Barbara on August 15, 1963. Notices of the date, time, and place of hearing were mailed to complainants John Francis Donovan, III, and Ambrose Simmons on July 24, 1963.

A public hearing was held in Santa Barbara, at the time and place specified in the notice theretofore delivered to said complainants, before Examiner Rogers on August 15, 1963. The defendant appeared through its attorney, E. Ralph Snyder, Jr. The complainants, and each of them, failed to make any appearance. The defendant thereupon moved that the complaint be dismissed on the ground, among others, that the complainants, and each of them, had failed to appear at the further hearing.

The Commission finds that the complainants, and each of them, failed to make any appearance at the further hearing and that the motion to dismiss should be granted for such lack of prosecution.

IT IS ORDERED that:

The complaint in Case No. 7479 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 22nd day of OCTOBER, 1963.

President

[Handwritten Signature]

[Handwritten Signature]

George J. Trover

Frederick B. Halchoff
Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.