

ORIGINAL

Decision No. 66407

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ARTHUR WARNER,

Complainant,

vs

PACIFIC TELEPHONE AND TELEGRAPH COMPANY, a corporation of California; and GENERAL TELEPHONE COMPANY OF CALIFORNIA, a corporation of California,

Defendants.

Case No. 7529  
(Filed January 10, 1963)

ORDER OF DISMISSAL

This complaint, filed on the above-noted date and answered on February 11, 1963, was heard on March 6, 1963, before Examiner Warner at Los Angeles, without the taking of evidence, and was then continued at the request of complainant to March 19, 1963 at Los Angeles. However, complainant, before said date, asked that the matter be removed temporarily from the calendar.

On August 6, 1963, complainant was asked, in writing by the Commission, to advise whether he intended to pursue the matter and if so, when. He telephoned on August 13, 1963, and stated that he intended to file an amended complaint and would ask for an early hearing. On September 24, 1963, no such amendment having been filed, the Commission again sought, in writing, complainant's intentions. Again on October 31, 1963, complainant having neither filed such amendment nor communicated with the Commission since

August 13, 1963, the Commission informed complainant in writing that, unless advice were received within 10 days when his amendment would be filed so that his complaint might be set for hearing, the matter would be dismissed for lack of prosecution in order that the Commission might clear its docket of long-pending cases.

No further advice from complainant having been received and good cause appearing,

IT IS ORDERED that the above-entitled complaint is dismissed without prejudice.

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

Dated at San Francisco, California, this 3rd  
day of DECEMBER, 1963.

William A. Burch  
President  
George H. Grover  
Frederick B. Hahloff  
Commissioners