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ORIGINAL

Decision No. 67381

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of OTTO SCHAEFER dba)
Strawberry Heights Water Company)
for authority to increase rates.)

Application No. 45400
(Filed May 3, 1963)

ORDER OF DISMISSAL

This rate increase matter was set for hearing November 26, 1963 and at the request of applicant's attorney was removed from the hearing calendar on November 18, 1963. Since that date contacts with the attorney have disclosed that applicant is unable to proceed to hearing. By letter of January 14, 1964, applicant's attorney informed the Commission that the utility properties of applicant were in process of transfer and that factors beyond the control of applicant were responsible for the delay. In response to such letter, the Commission, on January 17, 1964, advised the attorney that the matter would be held in abeyance for a period of thirty days. That period now has long passed without receipt of notification that applicant is ready to proceed. In addition, the properties are to be sold to another party and under such circumstances Otto Schaefer may no longer be an applicant for increased rates.^{1/} The Commission finds that the application herein should be dismissed for lack of prosecution.

^{1/} See Application No. 46197, filed February 14, 1964

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IT IS ORDERED that Application No. 45400 be and it is hereby dismissed.

Dated at San Francisco, California, this 16th day of June, 1964.

President
George H. Hoover
Commissioners
Frederick B. Holbert

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

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.