

Decision No. 69959**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 SIMON'S BEVERLY, INC., doing busi-
 ness as the Lebec Water Company,
 for permission to have transferred
 to it the operating rights of and
 all of the assets of that certain
 public utility known as the LEBEC
 WATER COMPANY.

Application No. 47185
 Filed December 10, 1964

Saul M. Meadow, for applicant.
Raymond E. Heytens, for the
 Commission staff.

ORDER OF DISMISSAL

Simon's Beverly, Inc., requests authority for the transfer to it of the water system owned by Burke Enterprises, Inc.

By Commission letter dated January 22, 1965, a copy of which is hereby received in the record as Exhibit No. 1, applicant was advised of specific deficiencies in the application. The letter stated that applicant could present the missing information at a hearing or could file an amendment to the application. Inasmuch as no amendment was filed, a public hearing on the application was held by Examiner Catey at Los Angeles on April 6, 1965. Applicant was not prepared to proceed, so the hearing was adjourned to a time and place to be set, with the understanding that applicant would file the necessary amendment.

By Commission letter dated May 10, 1965, a copy of which is hereby received in the record as Exhibit No. 2, applicant was given several specific suggestions as to the scope of the amendment and was requested to reply promptly. No reply nor amendment has been received from applicant.

By Commission letter dated October 20, 1965, a copy of which is hereby received in the record as Exhibit No. 3, applicant was advised that this order of dismissal was being prepared. No reply has been received from applicant.

Good cause appearing,

IT IS ORDERED that Application No. 47185 is dismissed without prejudice.

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

Dated at San Francisco, California, this 16th day of NOVEMBER, 1965.

Frederick B. Harbo President
George J. Hoover
Augusta
William Mitchell

Commissioners

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