

Decision No. 70274

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GOLCONDA UTILITIES COMPANY,
a California corporation,

Complainant

vs

Bank of Los Angeles,
a California corporation,

Defendant

Case No. 8303

ORDER OF DISMISSAL

Complainant utility alleges that defendant bank caused to be removed from complainant's premises a pickup truck and an adding machine. It alleges that although the bank had a lien on such property, the lien had not been authorized by the Commission, and is void under Public Utilities Code section 851. The complaint also alleges that the bank removed from complainant's bank account, maintained at defendant's place of business, the sum of \$447.00. The funds, adding machine, and truck are alleged to have been used and useful utility property, necessary in furnishing utility service.

The complaint seeks an order declaring the bank's actions void, and directing the bank to return the funds and property to complainant.

Defendant bank is not a public utility, and the Commission is without jurisdiction to order it to make the requested return.

Case No. 8303 is hereby dismissed for failure to state
a cause of action.

Dated at San Francisco, California, this 25th
day of JANUARY, 1966.

Frederic B. Holbrook
President
John J. Mitchell
George F. Grover
Augustor
William W. Birrell
Commissioners