

Decision No. 78452

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JACK LOPERENA, dba TULARE COUNTY
RADIO DISPATCH,

Complainant,

vs.

HANFORD MOBILE RADIO, INC.,

Defendant.

Case No. 8978
(Filed October 7, 1969)

ORDER OF DISMISSAL

The complaint herein alleges in general that defendant by the service intended to be offered under its Advice Letter No. 4 (September 18, 1969) would invade a paging service area claimed by complainant in its Application No. 51268. The tariff enclosed with that advice letter was permanently suspended on August 18, 1970 (Decision No. 77641, Case No. 8986).

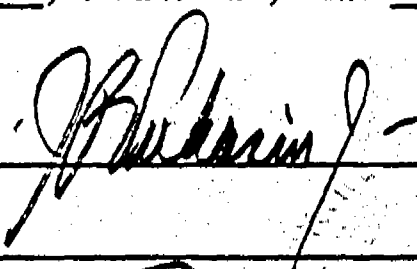
The tariff was refiled under Advice Letter No. 5 (August 26, 1970) whereupon complainant filed a complaint raising the same issues as are presented herein (Case No. 9114, Loperena v. Hanford Mobile filed September 8, 1970).


It is apparent that a decision in Case No. 9114 will determine all the issues presented herein and that consequently this proceeding is moot.


IT IS HEREBY 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 23rd day of MARCH, 1971.


Chairman


Vernon L. Sturgeon


Commissioners

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