

ORIGINAL

Decision No. 79096

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CHUCK CRAWFORD, individually and doing
business as MOBILE COMMUNICATIONS SERV-
ICE; ROBERT L. MOHR, individually and
doing business as ADVANCED ELECTRONICS;
BRIAN DONALDSON, individually and doing
business as RADIO COMMUNICATIONS SERVICE,
INC.; RICHARD G. SOMERS, individually and
doing business as EXECUTIVE COMMUNICATIONS
CORPORATION,

Complainants,

vs.

PACIFIC TELEPHONE AND TELEGRAPH COMPANY
and GENERAL TELEPHONE COMPANY OF CALI-
FORNIA,

Defendants.

Case No. 9163
(Filed December 11, 1970)

Gerlach, Harker, Langworthy & Oyler, by Connolly
Oyler, Attorney at Law, for complainants.
Richard Siegfried, Attorney at Law, for The
Pacific Telephone and Telegraph Company;
and A. M. Hart, H. Ralph Snyder, Jr. and
D. Earl Ellis, by H. Ralph Snyder, Attorney
at Law, for General Telephone Company of
California; defendants.
G. R. Dougherty, Attorney at Law, and Harold D.
Seielstad, for the Commission staff.

OPINION AND ORDER

On December 11, 1970 complainants filed the above captioned matter. The complaint is in two parts. The first part of the complaint relates to numerous alleged tariff problems - some 11 in number. The second part alleges that there are numerous (nine are listed) technical omissions on the part of defendants.

Pacific Telephone and General Telephone deny most of the various allegations. Both defendants requested that the complaint be dismissed.

Public hearing was held before Examiner Gillanders at Los Angeles on April 20, 1971. At the request of the parties an off-the-record in-hearing conference was held between the parties in an effort to define the issues involved in the complaint. As a result of the informal conference, the parties requested the matter be set over for 30 days with the hope mutually agreeable solutions could be arrived at as between the parties. Such request was granted, and further hearing dates were scheduled.

Further hearing was held at Los Angeles on June 9, 1971.

Counsel for complainants introduced three exhibits which, in essence, listed the results of various meetings held between the parties subsequent to the initial hearing. The parties again requested time for off-the-record discussions, and the request was granted.

As a result of the discussions, the parties were of the opinion that certain of the problem areas could be resolved by negotiation between the parties; that other problems could be solved by defendants submitting an application on or before September 15, 1971; and that certain other problems could be solved by defendants submitting an application by mid-1972.

As it appeared that complainants and defendants could, and would, resolve their difficulties without further hearing on this matter, the staff moved that the complaint be dismissed without prejudice.

Based upon the foregoing, the Commission has concluded that the motion should be granted.

C. 9163 JMD

Therefore, IT IS HEREBY ORDERED that the complaint in
Case No. 9163 is dismissed without prejudice.

Dated at San Francisco, California, this 31st
day of AUGUST, 1971.

[Signature]
Chairman
William Symons Jr.
[Signature]
Thomas Livingston
[Signature]
Commissioners