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ORIGINAL

Decision No. 79743

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

HEWLETT-PACKARD COMPANY,
a corporation,

Complainant,

vs.

THE PACIFIC TELEPHONE & TELE-
GRAPH COMPANY, a corporation,

Defendant.

Case No. 9218
(Filed May 3, 1971;
Amended June 8, 1971)

William D. Sauers, Attorney at Law, for complainant.
Robert E. Michalski, Attorney at Law, for defendant.

ORDER OF DISMISSAL

On May 3, 1971, complainant Hewlett-Packard Company (Hewlett-Packard) filed its complaint alleging that defendant has required complainant to comply retroactively with a practice which defendant now interprets as requiring complainant to encase with conduit all telephone cables used in suspended ceiling areas, which complainant believes to be arbitrary, unreasonable, unnecessary for safety or efficiency of service, does not interfere with other users, is not required by P.U.C. Tariff No. 36-T and is economically oppressive.

Defendant denied that complainant is entitled to the relief sought in its complaint or amended complaint or to any relief and requested that the complaint be dismissed.

A public hearing on the complaint was held on October 5, 1971, at San Francisco before Examiner Gillanders. The matter was submitted subject to the receipt of transcript which was filed on October 13, 1971.

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On December 3, 1971, complainant filed a request that the complaint be dismissed as the complaint had been satisfied.

Therefore, IT IS ORDERED that the complaint in Case No. 9218 is dismissed without prejudice.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 23rd day of FEBRUARY, 1972.

William Lyne Chairman
[Signature]
Vernon L. Sturgeon
[Signature] Commissioners

Commissioner J. P. Volosin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.