

Decision No. 80048

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RICHARD H. SEIDEN,

Complainant,

vs.

PACIFIC GAS AND ELECTRIC COMPANY,

Defendant.

Case No. 9367

DICK GREGORY, WALTER KWIA TEK,  
GEORGE MCADOW, LESLIE MCADOW,  
PATRICIA MACDONALD, RUTH O'HEARN,  
JUDI PHILLIPS and MYRA SCHIMKE,

Complainants,

vs.

PACIFIC GAS AND ELECTRIC COMPANY,

Defendant.

Case No. 9370

PEOPLE'S LOBBY, INC.

Complainant,

vs.

PACIFIC GAS AND ELECTRIC COMPANY,

Defendant.

Case No. 9372

ORDER DENYING CEASE AND DESIST, SETTING  
HEARING, AND CONSOLIDATING PROCEEDINGS

Complainants have each filed a verified complaint alleging, inter alia, that defendant is using money collected from ratepayers for political advertising against the Clean Environment Act (Proposition 9 on the State ballot) and that such activity is unlawful.

Complainants seek an order from this Commission directing that defendant cease and desist such advertising activities and other public relations efforts with regard to Proposition 9, and request a prompt hearing on their complaint.

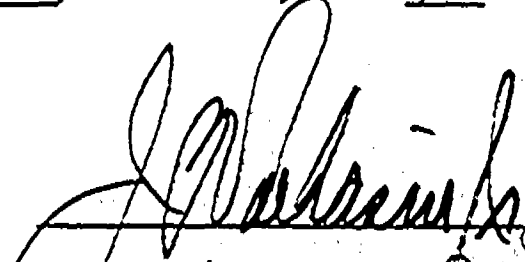
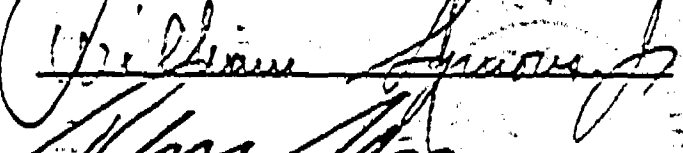
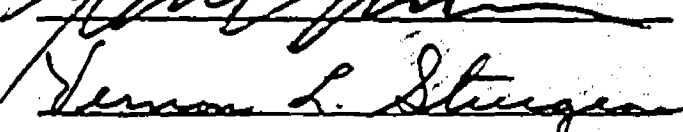

None of the complaints cite specific and convincing authority for the issuance of a cease and desist order against defendant based on its corporate practice of enclosing editorials with its monthly billings or other activities on issues before the voters in impending elections. Therefore, complainants' request for a cease and desist order is denied.

In view of the short time between the filing of these complaints, the most recent of which was filed on Friday evening, May 5, 1972, and amended on May 8, 1972, and the June 6, 1972 election, the Commission deems it appropriate to omit the normal procedural steps and to require defendant to file formal answer to these complaints and service thereof on complainants no later than 5:00 p.m., May 11, 1972. Service of the answer will be considered complete if a copy of the answer is delivered to the address stated in the complaint or the address of the attorney of record of a complainant no later than 5:00 p.m. on May 11, 1972. These matters are hereby consolidated. Oral argument on the legal issues raised in these pleadings regarding the lawfulness of defendant's activities with regard to Proposition 9, as alleged in the various complaints, and the Commission's jurisdiction to act thereon, will be held at 10:00 a.m. on May 12, 1972, at the Commission Courtroom, State Building, 350 McAllister Street, San Francisco, California, before such Commissioner or Examiner as may be designated.

The Secretary is directed to serve copies of this order on all parties to these proceedings.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 9th day of MAY, 1972.

  
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Chairman  
  
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Commissioners