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Decision No. 80601

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Dorothy Shinder,

Complainant

vs.

The Pacific Telephone and
Telegraph Company, et al.,

Defendant.

Case No. 9433

ORDER OF DISMISSAL

Complainant filed the complaint in this matter on August 28, 1972. Defendant filed a letter of defects dated September 8, 1972 setting forth alleged defects in the complaint, as permitted by Rule 12 of the Commission's Rules of Practice and Procedure. Defendant also requested that the complaint be dismissed.

By letter dated September 1, 1972, the Secretary of the Commission informed complainant of her option to amend, dismiss or stand on her complaint. In response, complainant has requested additional time to amend or add to her complaint. Complainant states that an allegedly related court action is still undecided on appeal and apparently deems it necessary to have a decision on that matter before concluding her pleadings herein.

Under these circumstances, it is the policy of this Commission to dismiss complaints without prejudice to the matter being brought before the Commission at some future time when complainants are prepared to proceed. W & H Trucking Co., et al. v. General Teamsters Local 982, et al., D. 79005 (Aug. 10, 1971). Such will be our order herein.

IT IS ORDERED that the complaint herein is dismissed without prejudice. The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 11th
day of OCTOBER, 1972.

Vernon L. Sturgeon
President

Walter J. Sturgeon Jr.

[Signature]

Commissioners

Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.