

Decision No. 80659

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ELEANOR B. BOUSHEY,

Complainant,

vs.

PACIFIC GAS AND ELECTRIC COMPANY,

Defendant.

Case No. 9455

ELLEN STERN HARRIS,

Complainant,

vs.

SOUTHERN CALIFORNIA EDISON COMPANY,

Defendant.

Case No. 9456

SHERMAN W. GRISELLE,

Complainant,

vs.

SOUTHERN CALIFORNIA EDISON COMPANY,

Defendant.

Case No. 9457

ORDER CONSOLIDATING PROCEEDINGS, SHORTENING TIME TO
ANSWER, SETTING HEARING, AND DENYING REQUESTS FOR
CEASE AND DESIST ORDERS.

Complainants Eleanor B. Boushey, Ellen Stern Harris, and Sherman W. Griselle, hereinafter collectively referred to as "complainants", have each filed on October 18, 1972, a verified complaint alleging, inter alia, that defendants Pacific Gas and Electric Company and Southern California Edison Company, hereinafter collectively referred to as "defendants", are public utilities subject to the jurisdiction of the Commission; that defendants have mailed, and will continue to mail, with their customers' monthly bills written matter stating defendants' opposition to Proposition 20, the Coastal Conservation Act, which will be presented to the voters on November 7, 1972; and that complainants are harmed as ratepayers and voters by this practice.

Complainants seek an order from this Commission directing that defendants cease and desist from such practices; that defendants be required to mail a letter or statement from proponents of Proposition 20 to all customers who have received defendants written materials; that the Commission rule that regulated utilities may not now or in the future engage in the complained of conduct; and that these complaints be acted upon expeditiously.

The facts alleged in each of the complaints are almost identical and the questions of law raised thereby are the same; therefore, the complaints are consolidated for hearing pursuant to Rule 55. In view of the shortness of time between the filing of these complaints and the election on November 7, 1972, the defendants should be required to file an answer within a shorter time than 10 days after service of the complaint. Pursuant to the provisions of Rule 12, therefore, defendants shall file answers to the complaints, and serve copies thereof upon the complainants, no later than 5:00 P.M. on Friday, October 27, 1972. Service of the answer will be considered complete if a copy of the answer is delivered to the address of complainant or of his attorney of record, as set forth in the complaint.

These matters are set for hearing on Monday, October 30, 1972, at 10:00 A.M. in the Commission Courtroom, State Building, 107 S. Broadway, Los Angeles, California, before such Commissioner or Examiner as may be hereafter designated.

At such time the Commission will receive evidence and hear oral argument on the issues raised by the complaints, including the lawfulness of defendants' mailing practices in connection with Proposition 20 and the Commission's jurisdiction to act upon the matters alleged in the complaints.

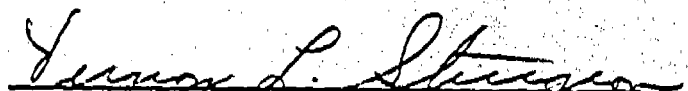
In view of the expedited procedures herein ordered there appears to be no necessity for issuance of an immediate cease and desist order pendente lite, and complainants have not specifically requested such relief, except for a general reference to the need for "top priority" in consideration of this matter. Moreover, the complaints do not allege any facts which would support a finding of irreparable harm in the interval between the filing of the complaint and the date herein set for hearing.




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 25th day of

OCTOBER, 1972.


President




Commissioners

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