

Decision No. 80823

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Angel Appliance Service,  
a corporation,

Complainant,

vs.

Case No. 9451

The Pacific Telephone and Telegraph  
Company, a corporation,

Defendant.

ORDER OF DISMISSAL

On October 10, 1972 the following complaint, the body of which is reproduced in its entirety, was filed with the Commission:

- "1. That defendant is Pacific Telephone Yellow Pages, 3470 Wilshire Blvd., Los Angeles, 213 381-9281.
2. Request a hearing in order to straighten out various problems with the Yellow Pages of Pacific Telephone which they will neither rectify nor reimburse us for.
  - A. Errors in ads.
  - B. No time given us to correct proofs even though specifically requested.
  - C. Errors in listings.
  - D. Loss of business due to dilution of value of ads because of improper placement in the book.
  - E. Many ads for one company under different names.
  - F. Different wordings forced by Pacific Telephone as against General Telephone.
  - G. Too many headings."

Pursuant to Rule 12 of the Commission's Rules of Practice and Procedure, defendant addressed a letter dated October 24, 1972, to the Commission, with a copy to complainant, indicating that the complaint was so generalized as to fail to give notice of the facts constituting the alleged wrongdoing of defendant.

By letter dated October 26, 1972, the Commission informed complainant of his right to amend his complaint, and indicated that no decision would be made as to the validity of his complaint until after November 13, 1972. Complainant has not amended or supplemented his complaint.

The Commission concludes that the complaint herein is so lacking in specific factual allegations that it cannot be held to comply with the following provisions of Rule 10 of the Commission's Rules of Practice and Procedure:

"...The specific act complained of shall be set forth in ordinary and concise language and the complaint shall be so drawn as to advise the parties and the Commission completely of the facts constituting the grounds of the complaint, the injury complained of, and the exact relief which is desired."

The complaint herein will be dismissed without prejudice to the filing of a new complaint which adequately discloses the facts on which the complaint is based.

IT IS ORDERED that the complaint herein is dismissed without prejudice.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 12<sup>th</sup> day of

December, 1972.

Vernon L. Shugart  
President  
William J. Sykes, Jr.

[Signature]  
[Signature]  
Commissioners

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