

Decision No. 80971**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Mr. and Mrs. Alvin J. McGowan,

Complainants,

v.

San Diego Gas & Electric Co.,
a corporation,

Defendant.

Case No. 9342
(Filed March 6, 1972;
Amended August 24, 1972)

Richard A. Gant,

Complainant,

v.

San Diego Gas & Electric Company,
a corporation,

Defendant.

Case No. 9496
(Filed January 12, 1973)

ORDER SUSPENDING DECISION NO. 80811,
REOPENING CASE NO. 9342,
CONSOLIDATING CASE NO. 9342 AND CASE NO. 9496
AND SETTING PREHEARING CONFERENCE

It appearing that Decision No. 80811 in Case No. 9342 ordered defendant San Diego Gas & Electric Company to "immediately remove the new pole, install a suitable pole at the former location of the old pole, and do all work necessary to continue service to its existing customers at no cost to such customers"; that the

effective date of Decision No. 80811 was January 1, 1973; that a letter from defendant in the formal file in Case No. 9343 indicates that defendant will remove said pole pursuant to Decision No. 80811 on January 20, 1973; that on January 12, 1973 Richard A. Gant filed a verified complaint against defendant in Case No. 9496, regarding the location of said pole and requested that Decision No. 80811 be stayed pending decision thereon; and that to require defendant to move said pole would be prejudicial to a fair and impartial decision of Richard A. Gant's Case No. 9496 and could occasion needless expense to the defendant;

Therefore, IT IS ORDERED that:

- 1) The ordering paragraph of Decision No. 80811 in Case No. 9342 is suspended until further order of the Commission;
- 2) Case No. 9342 is reopened for further hearing;
- 3) Case No. 9342 is consolidated with Case No. 9496;
- 4) A pre-hearing conference in the above entitled matters is set for Friday, February 2, 1973, at 10:00 o'clock A.M., in Room B105, State Building, 1350 Front Street, San Diego, California, before Examiner Gillanders, for the purpose of formulating and simplifying the issues and establishing future procedure.

The Secretary of the Commission shall cause certified copies of this order to be served upon all parties to Case No. 9496 and Case No. 9342 and shall cause copies of the complaint in Case No. 9496 to be served upon the defendant, and upon the complainant in Case No. 9342.

Dated at San Francisco, California, this 16th day of JANUARY, 1973.

Vernon L. Sturgeon
President

J. H. Hester, Jr.

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Commissioners