

Decision No. 82954

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Patrick J. Sampson,

Complainant,

vs.

Sharder Group No. Three, Inc.,  
a California corporation,

Defendant.

Case No. 9288  
(Filed November 4, 1971;  
amended February 11, 1972)

ORDER OF DISMISSAL

The complaint requested an order holding that the defendant was a public utility water corporation. Public hearings were held on June 26 and July 7, 1972. On October 11, 1972 the Commission issued Decision No. 80589 wherein it found that the defendant had not dedicated its property to public use; it does not sell water to persons other than its stockholders; and it is a mutual water company selling water to 52 customers on a nonprofit basis. The Commission dismissed the complaint.

On October 27, 1972 the complainant filed a petition for rehearing. On February 21, 1973 the Commission granted a rehearing limited to the issue of the status of customers of the defendant who are not shareholders of record. On March 6, 1973 the matter was reassigned for hearing and was thereafter set for hearing on May 18, 1973. On May 3, 1973 the matter was removed from the calendar at the request of the complainant. On February 1, 1974 the complainant was advised in writing that he must request a setting within three months or the complaint would be dismissed.

The complainant having failed to request a setting,  
therefore,

IT IS ORDERED that the complaint is dismissed.

The effective date of this order shall be twenty days  
after the date hereof.

Dated at San Francisco, California,  
this 5th day of JUNE, 1974.

Thomas L. Johnston  
President  
William J. Johnston  
William J. Johnston  
William J. Johnston  
William J. Johnston  
Commissioners