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ORIGINAL

Decision No. 83992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

William A. Churchill, Complainant)

vs.

The Pacific Telephone & Telegraph
Company, a corporation, Defendant)

Case No. 9855

ORDER DENYING INTERIM RELIEF AND SETTING HEARING

Complainant seeks an order requiring defendant to cease and desist installation of overhead cable along a portion of Cervantes Road in the town of Portola Valley. He further asks that there be a delay of six months in any further such installation while alternate means of extending service are explored and appropriate material obtained. His final request is that new service to the area for which the installation is intended be delayed for the six-month period. He alleges that there are no present orders for service in this area.

The complaint asserts that defendant has twice delayed installation of this overhead construction, following informal complaint to this Commission. He further asserts that the town

of Portola Valley decided not to make a formal complaint, that the town's Undergrounding Committee approved the overhead cable on Cervantes Road, and that construction resumed on January 6, 1975.


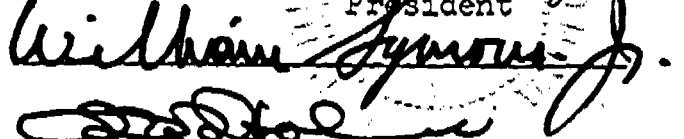
Based on the allegations in the complaint it appears that the town of Portola Valley does not feel strongly about this construction and that at least one of its Committees charged with the responsibility to review such construction is in favor of the construction. It further appears that construction has begun, and may now be completed, rendering this complaint moot. We, therefore, conclude that the interim relief requested should not be granted. In order that this matter may be promptly resolved we shall set this matter for immediate hearing on notice of less than 10 days.

IT IS ORDERED that:

1. Complainant's request for interim relief is denied.
2. Hearing on this matter shall be held at the Commission Courtroom, State Building, 350 McAllister Street, San Francisco, California, at 10:00 a.m. on Tuesday, January 21, 1975 before Examiner Porter.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 14th
day of JANUARY, 1975.


President

Commissioners