

Decision No. 84766

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

PROJECT SURVIVAL, a  
California corporation,  
  
Complainant,

vs.

Case No. 9952

PACIFIC GAS AND ELECTRIC  
COMPANY, a California  
corporation,  
  
Defendant.

ORDER DENYING INTERIM RELIEF

Complainant is a supporter of an initiative to be before the voters on June 8, 1976. This ballot measure is entitled "The Nuclear Safeguards Act".

Complainant alleges that defendant has performed and will perform many acts in conflict with complainant's aspirations for the initiative measure. They ask for immediate relief against these acts, as well as affirmative relief which would require greater detail in many of defendant's reports to this Commission and possibly new reports. They also seek an order requiring advance notice and equal time be given to complainant or some other responsible spokesman whenever defendant's position on nuclear power is given to the public.

We note that the complaint does not point to any actual violation of a rule, order, regulation, or statute imposed or

administered by this Commission. Allegations that expenses incurred by defendant in support of nuclear generation of electricity are being charged to ratepayers, and that such activity is a violation of Commission rulings and public utility responsibility, are made on information and belief.

Without ruling on whether the complaint states a cause of action before this Commission, we do conclude that it does not show sufficient cause to merit immediate relief on an ex parte basis.

Denial of complainant's request for ex parte relief should not be construed as a ruling on the validity or merits of the complaint.

IT IS ORDERED that the request for interim relief herein is denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 5th day  
of AUGUST, 1975.

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President  
*William S. ...*  
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*Vernon L. Sturgeon*  
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*...*  
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*...*  
Commissioners

2.

Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.