

Decision No. 86257

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RICHARD M. SCANLAN
ANN R. SCANLAN,

Complainants,

vs.

SAN DIEGO GAS & ELECTRIC,

Defendant.

Case No. 10049
(Filed February 13, 1976)

ORDER OF DISMISSAL

The complainants allege that on January 15, 1976 the defendant installed a utility pole on the north boundary of the complainants' property which extended directly into their view of La Jolla and the Pacific Ocean, was detrimental to the value of their property, and was irritating to their peace of mind. The complainants sought an order requiring the defendant to remove the pole. In its verified answer the defendant alleges that it has removed the utility pole complained of by the complainants.

On June 4, 1976 the Commission wrote a letter to the complainants setting forth the fact that the defendant had alleged in its answer that it had removed the utility pole and stating that under such circumstances the need for the relief sought by the complainants has been obviated and the complaint should be dismissed. The letter further requested the complainants to let the Commission know if the allegation of the defendant was inaccurate and stated that if the complainants did not reply to the answer within fifteen days it would be presumed that the

complainants had no further problem and the complaint should be dismissed. Thirty days after the letter of June 4, 1976 the Commission had received no reply from the complainants.


The defendant's request that this case and Case No. 10097 be consolidated for hearing and decision is denied.

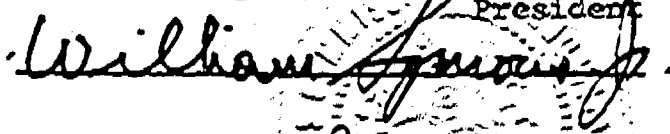
The Commission finds that the relief sought by the complainants has been provided by the defendant and no further issue remains in the case, and concludes that the complaint should be dismissed.


IT IS ORDERED that Case No. 10049 is dismissed.

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

Dated at San Francisco, California,
this 17th day of AUGUST, 1976.



President


Hon.


Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.