

SEP 14 1988

Decision 88 09 613 SEP 14 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DUPONT ENERGY CORPORATION,)
 a corporation,)
)
 Complainant,)
)
 vs.)
)
 PACIFIC GAS & ELECTRIC CO.,)
)
 Defendant.)

Case 86-01-040
(Filed January 27, 1986)

ORDER OF DISMISSAL

This case has been held in abeyance while the complainant pursued discovery with Pacific Gas and Electric Company. Because considerable time had elapsed since the filing of this complaint and subsequent prehearing conference, the administrative law judge (ALJ) recently contacted Mr. Roger J. Nichols, attorney for the complainant, by telephone to determine if the complainant was still interested in prosecuting its complaint. Mr. Nichols stated that Dupont Energy Corporation had filed for bankruptcy over 18 months ago, and that he had not been in contact with his client for over a year.

On July 5, 1988, the ALJ sent a certified letter to Mr. Nichols. The letter stated that the complaint would be dismissed for lack of prosecution unless Mr. Nichols contacted her within two weeks of the date of the letter. No response has been received from Mr. Nichols.

Finding of Fact

The complainant has failed to prosecute its complaint.


Conclusion of Law

The complaint should be dismissed for lack of prosecution.

IT IS ORDERED that the complaint is dismissed.
This order becomes effective 30 days from today.
Dated SEP 14 1988, at San Francisco, California.

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Victor Weisser, Executive Director
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