

ALJ/BRS/jt

Decision 90 02 006 FEB 07 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MEMBERS OF THE SISKIYOU COUNTY
CATTLEMEN'S ASSN., AND OTHER
INTERESTED PEOPLE ON THE RED
ROCK LINE,

Complainants,

v.

PACIFIC POWER & LIGHT COMPANY,
(U 901 E)

Defendant.

ORIGINAL

Case 86-05-046
(Filed May 29, 1986)

O P I N I O N

In this case, filed on May 29, 1986 and amended on September 9, 1986, complainant Siskiyou County Cattlemen's Association alleged that substandard electrical service on the Pacific Power and Light Company (PP&L) Red Rock line caused equipment damage. The complaint asked that the line be upgraded and that refunds be made due to the substandard service.

As a result of negotiations between complainant and PP&L, the complaint was satisfactorily resolved and no hearings were necessary. At complainant's written request, the complaint was dismissed by Decision 88-08-002.

On January 11, 1989 complainant's attorney filed a request for reimbursement of attorney's fees from the Advocates Trust Fund administered by the Commission. On June 14, 1989 Administrative Law Judge (ALJ) Stalder sent a letter to complainant's attorney requesting additional information by July 15, 1989 so that the request could be processed. When the attorney had neither furnished any information nor requested

additional time to respond, in September 1989 the ALJ phoned the attorney, who indicated that the information would be delayed. The Commission has now waited over five months beyond the due date for the response. No information has been furnished, and there has been no further communication from complainant's attorney.

Therefore, ample time having been allowed for the response, the request should be dismissed for failure to prosecute.

Findings of Fact

1. On January 11, 1989 complainant's attorney requested reimbursement of attorney's fees from the Advocates Trust Fund.
2. The assigned ALJ by letter of June 14, 1989 requested further information on the request by July 15, 1989, in order to enable the Commission to process the request.
3. Complainant's attorney has furnished none of the requested information as of December 15, 1989.

Conclusion of Law

The request for reimbursement of attorney's fees from the Advocates Trust Fund should be dismissed due to failure of complainant's attorney to prosecute the request.

O R D E R

IT IS ORDERED that the request of Armour, St. John, Wilcox, Goodin and Schlotz for reimbursement of attorney's fees from the Advocates Trust Fund is dismissed.

This order is effective today.

Dated FEB 07 1990, at San Francisco, California.

G. MITCHELL VALK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

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

Wesley Franklin
WESLEY FRANKLIN, Acting Executive Director
so