

Decision 90 06 039 JUN 20 1990

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Tekla R. Broz,

Complainant,

vs.

Camp Meeker Water Systems, Inc.,

Defendant.

Case 87-11-029
(Filed November 23, 1987)

ORDER OF DISMISSAL

Tekla R. Broz filed this complaint against Camp Meeker Water Systems, Inc., (CMWSI) in the wake of an order in Application (A.) 87-04-062 authorizing CMWSI to bill its customers \$82.18 each for the cost of water hauling during the summer and fall of 1987. (Decision (D.) 87-10-087, dated October 28, 1987.) Broz seeks an order rescinding the surcharge and requiring CMWSI to reimburse all ratepayers who have already paid it. (The complaint is in the nature of an application for rehearing of D.87-10-087.) CMWSI filed its answer and motion to dismiss the complaint on February 8, 1988.

Proceedings in this docket were held in abeyance pending the outcome of an application for rehearing of D.87-10-087, raising similar issues, filed in A.87-04-062 by Camp Meeker Recreation and Parks District (District). That application was denied November 22, 1989, by D.89-11-070.

On March 12, 1990, the administrative law judge (ALJ) wrote to Broz asking whether, in view of the result of the District's application for rehearing, she wished to prosecute her complaint or withdraw it. The letter was addressed to Broz at the Occidental Post Office Box number in her complaint; but it was

returned by the postal service marked "UNABLE TO FORWARD - RETURN TO SENDER". The letter was sent again to Broz' Camp Meeker street address, discovered in the file; but it was returned again by the postal service marked "RETURNED TO SENDER - ADDRESSEE UNKNOWN". The ALJ called Sonoma County information and obtained the telephone number of the only Broz listed. He did not know of Tekla Broz. The last contact by Broz with the Commission was by letter postmarked January 7, 1988.

It is apparent that complainant has moved from the area and left no forwarding address. No other person signed the complaint.¹

Complainant has failed to prosecute her complaint. The complaint should be dismissed for lack of prosecution.

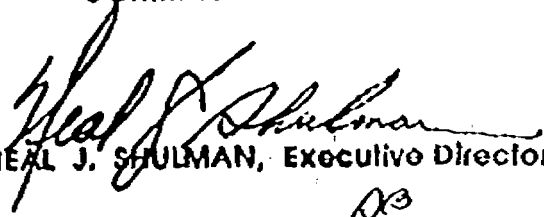
1 A petition addressed to President Hulett is appended to the complaint. The signators protest CMWSI's petition for modification of D.87-07-094 (Second Interim Opinion) in A.87-04-062; they also oppose the additional surcharge requested by CMWSI in its petition; they state that "the rate increase could have been averted by responsible management"; and they ask the Commission to rescind the granting of this rate increase. The petition is undated; but it appears to be a protest to D.87-07-094, which granted an initial rate increase by surcharge, and to the additional surcharge sought by CMWSI. The petition does not mention a complaint.

IT IS ORDERED that the complaint is dismissed.
This order becomes effective 30 days from today.
Dated JUN 20 1990, at San Francisco, California.

FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

President G. Mitchell Wilk,
being necessarily absent, did
not participate.

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


NEAL J. SHULMAN, Executive Director