

Decision No. 87680 AUG 9 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

THOMAS R. BENTON,
Complainant,

vs.

THE GENERAL TELEPHONE
COMPANY, a corporation,
Defendant.Case No. 10229
(Filed January 7, 1977;
amended March 10, 1977)

Thomas R. Benton, for himself, complainant.
Edward D. Schoch, Attorney at Law, for General
Telephone Company of California, defendant.

ORDER OF DISMISSAL

A prehearing conference between the parties was held on April 11, 1977. It was agreed by the parties that if defendant would provide complainant with the final amounts due and owing for his telephone service, complainant would withdraw the complaint. On May 2, 1977 defendant provided complainant with an itemized statement of all of his closed accounts showing the amounts due. Complainant claimed that the figures provided were not final figures. After further correspondence defendant complied with complainant's request. By letter of June 1, 1977 the Administrative Law Judge advised complainant that his request had been complied with and that he should abide by his agreement to withdraw the complaint. Complainant was given until June 10, 1977 to file his withdrawal. Complainant has not responded to the ALJ's letter; therefore, we shall dismiss the complaint on our own motion on the grounds that the matter has been satisfied.

IT IS ORDERED that Case No. 10229 is dismissed.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 9th
day of AUGUST, 1977.

Robert Bateman
President
William Symons Jr.
Clare J. Dedrick

Commissioners

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

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