

ORIGINAL

Decision No. 89818 JAN 4 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT,

Complainant,

vs.

SOUTHERN CALIFORNIA GAS COMPANY,

Defendant.

Case No. 10472
(Filed December 13, 1977)

Whelan and Markman, by Martin E. Whelan, Jr., Attorney at Law,
for complainant.
Les Lo Baugh, Jr., Attorney at Law,
for defendant.

ORDER OF DISMISSAL

Complainant Tehachapi-Cummings County Water District, a gas engine customer taking service under Schedule No. G-45, seeks a refund of \$6,834.35 plus interest at 7 percent per annum applicable to the July 19, 1977 to November 1, 1977 delivery period. By Resolution No. G-2256 issued November 28, 1978 the Commission authorized defendant Southern California Gas Company "to provide a one time credit of approximately \$238,000 plus 7 percent interest to its G-45 customers and to include such funds in its PCA balancing account as unrecovered cost of gas." The relief sought by complainant will be forthcoming pursuant to that resolution; however, that resolution, for the time being, has been stayed by Decision No. 89726, dated December 12, 1978, Application No. 58513, pending a determination on a request for

attorney's fees filed by counsel for the complainant herein. The relief requested herein was granted by Resolution No. G-2256, and only the issue of awarding attorney's fees in view of the relief afforded Schedule No. G-45 customers by Resolution No. G-2256 remains for consideration. Case No. 10472 is now moot and should be dismissed.

Therefore, IT IS ORDERED that Case No. 10472 is dismissed.

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

Dated at San Francisco, California, this 4th day of JANUARY, 1979.

Robert B. Burt
President
Robert C. Lynch
Clair T. DeLoach

Commissioners