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Decision No. 89863 JAN 16 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Robert Wade Hudson, Complainant, v. The Ponderosa Telephone Company, Inc. Defendant.	Case No. 10616 (Filed July 7, 1978)

ORDER OF DISMISSAL

The complaint alleges that complainant is the owner of a rented house in Auberry, California, which had telephone service until disconnected about February 1, 1978. Complainant immediately requested a new service, but defendant refused to acknowledge the request until March 23, 1978 on receipt of a registered letter from complainant. The latter then requested that the service be connected to an overhead cable near his house and was advised it could not be done. The complaint prays that the Commission order defendant to provide service from the overhead line since complainant will be occupying the premises on September 1, 1978.

Defendant's Answer was filed on August 10, 1978. It alleges that the overhead cable is serving 12 units, which is the maximum load it can handle; that there is a waiting list ahead of the complainant; that a new underground cable will be in operation by early 1979 which could provide complainant service from the north side of his property; and that complainant has refused to allow an easement across his property on the north, but has requested that service be provided from the south where the terrain is very steep and all rock.

A letter was mailed to complainant on September 11, 1978 which suggested that the matter be settled without a hearing and included a telephone number and address where complainant could contact the Administrative Law Judge to request a hearing or ask for information. A second letter was mailed to the complainant on October 23, 1978 to advise that unless word was received Case No. 10616 would be recommended for dismissal in November or December. Neither letter was answered and a staff engineer has advised that the controversy has apparently been settled to the satisfaction of the complainant.

We therefore find and conclude that Case No. 10616 should be dismissed.

IT IS ORDERED that Case No. 10616 is dismissed.

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

Dated at San Francisco, California, this 16th day of JANUARY, 1979.

Robert Batinovich
President
Richard D. Gravelle
Claire T. Dedrick

Commissioners