

ORIGINAL

Decision No. 91800 MAY 20 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MICHELLE MACLEOD, dba  
MICHE I,

Complainant,

vs.

GENERAL TELEPHONE COMPANY OF  
CALIFORNIA,

Defendant.

Case No. 10684  
(Filed October 30, 1978)

ORDER OF DISMISSAL

In this complaint, complainant alleged faulty telephone service for three years and that General Telephone Company of California (defendant) charged for telephone calls not made; that a multi-party line was furnished rather than the private business line ordered; that listings of toll and message unit calls were not furnished for two and one-half of the three years complained of; that defendant's equipment problems resulted in service being permanently disconnected; and that defendant turned complainant's account over to a credit collection agency.

After hearing, by Decision No. 91025 dated November 20, 1979, we determined that defendant's service was not sufficiently deficient to warrant any adjustment; that the disclaimed telephone calls had not been shown to have been made from other than complainant's telephone; that complainant's service was discontinued for nonpayment of bills; and denied the relief requested.

On or about December 20, 1980<sup>1/</sup> complainant alleged that she had suffered prejudice due to the fact that she was not represented by counsel at the hearing and requested a rehearing. By Decision No. 91306 dated January 29, 1980 we granted rehearing.

Duly noticed rehearing was scheduled April 15, 1980 at Los Angeles at 10:00 a.m. before Administrative Law Judge Banks. When complainant failed to appear by 10:20 a.m., the Commission was called to order at which time defendant moved to dismiss the complaint for failure to prosecute.

Having given complainant ample time to appear, we conclude that the motion to dismiss should be granted.

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<sup>1/</sup> Because the petition for rehearing was not timely filed, Decision No. 91025 was not stayed.

IT IS ORDERED that Case No. 10684 is dismissed with prejudice.

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

Dated MAY 20 1980, at San Francisco, California.

John E. Byron  
President  
Vernon R. Stevenson  
Richard W. Howell  
Charles J. DeLuca  
James W. Hill  
Commissioners