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Decision 96-06-042 June 19, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Women's Energy, Inc. )  
for a Certificate of Public )  
Convenience and Necessity to own )  
and operate electric distribution )  
facilities in the Golden Gate )  
National Recreation Area, Presidio )  
Unit. )

**ORIGINAL**  
Application 94-08-042  
(Filed August 23, 1994)

O P I N I O N

1. Summary

Women's Energy, Inc. (WEI) has not completed this application in which it sought to provide electric service to the Presidio of San Francisco. Counsel for WEI states that he has lost contact with principals of the company, and that he is unaware of any plans by WEI to proceed with this matter. Accordingly, the application is dismissed without prejudice to later refiling.

2. Background

WEI was among those bidding to supply electric service to the Presidio of San Francisco after the Presidio became part of the Golden Gate National Recreation Area and was transferred from the Department of Defense to the Department of the Interior on October 1, 1994.

WEI filed this pro forma application for a certificate of public convenience and necessity to serve the Presidio, acknowledging that the application was incomplete. It stated that it would complete and amend the application if the Commission, in a companion matter, determined that WEI would be subject to Commission jurisdiction in serving the Presidio.

In Decision (D.) 95-01-045, issued on January 24, 1995, it was determined that WEI would be subject to Commission jurisdiction, and WEI was directed to complete and amend its

application for certification.<sup>1</sup> WBI has not done so. In response to an inquiry from the administrative law judge, counsel for WBI states that he has been unable to reach any principal of WBI for an extended period of time, and that he is unaware of any plan by WBI to further pursue this matter.

### 3. Discussion

It is apparent that WBI does not now intend to pursue its application for certification to provide public utility electric service to the Presidio of San Francisco. Accordingly, this application should be dismissed. Counsel for WBI requests that any such dismissal be without prejudice to later refiling. Our order grants that request.

### Findings of Fact

1. WBI was directed in D.95-01-045 to complete and amend this application if it intended to go forward with its plan to provide electric service to the Presidio of San Francisco.

2. WBI has not completed nor amended its application, and counsel for WBI states that he is aware of no plan by WBI to go forward with the application at this time.

### Conclusion of Law

This application should be dismissed without prejudice to later refiling.

<sup>1</sup> WBI on February 24, 1995, filed an application for rehearing of D.95-01-045. The application for rehearing has not yet been decided. However, under Rule 86 of the Rules of Practice and Procedure, an application for rehearing does not, without more, suspend or stay the effectiveness of a Commission order.

ORDER

IT IS ORDERED that Application 94-08-042 is dismissed without prejudice to later refiling.

This order becomes effective 30 days from today.

Dated June 19, 1996, at San Francisco, California.

P. GREGORY CONLON  
President  
DANIEL Wm. FESSLER  
JESSIE J. KNIGHT, JR.  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
Commissioners