

ORIGINAL

Decision No. 42782

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

HERMAN HENSLEY, an individual doing  
business under the fictitious firm  
name and style of COPPER BOWL,

Complainant,

vs.

Case No. 5056

THE PACIFIC TELEPHONE AND TELEGRAPH  
COMPANY, a corporation,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

Herman Hensley having filed a verified complaint alleging in substance that he is a telephone subscriber at 1801 Glendale Boulevard, Los Angeles, California; that he has been notified by defendant that communication facilities furnished at that address would be discontinued immediately; that in October of 1948 complainant purchased the business located at that address, at which time complainant was not aware of any activities in violation of the law with respect to the use of said communication facilities; that since purchasing the business there has been no use of said facilities in violation of any law, or which aided or abetted the violation of any law; and that the action threatened by defendant does not grow out of any activities carried on by complainant, and is therefore unnecessary and would cause a great injustice to complainant; and complainant having requested that defendant be enjoined from removing or disconnecting said communication facilities, or be required to replace said facilities in the event that same have been removed by defendant; therefore,

IT IS ORDERED that The Pacific Telephone and Telegraph Company is hereby directed to refrain from disconnecting telephone service to complainant, and to restore said telephone service if discontinued, pending a hearing on said complaint and further Commission order thereon. The complaint, assigned to Commissioner Huls, is set for hearing before such Examiner as may hereafter be designated, at 1:30 o'clock p.m. on Tuesday, August 16, 1949, in the Commission Court Room, Ninth Floor, The Mirror Building, 145 South Spring Street, Los Angeles, California.

The Secretary is directed to cause a certified copy of this order, together with a copy of the complaint herein, to be served upon The Pacific Telephone and Telegraph Company, and said defendant is directed to serve and file its reply to said complaint within ten (10) days after such service. The Secretary is directed further to cause a copy of this order to be mailed to complainant.

Dated, San Francisco, California, April 21st, 1949.

A. E. Zimmerman

Justus F. Ciresius

Harold P. Huls

Commissioners