

Decision No. 45539  
 BEFORE THE PUBLIC UTILITIES COMMISSION STATE OF CALIFORNIA

MONNIE EBERHART,

Petitioner,

vs.

PACIFIC TELEPHONE AND  
 TELEGRAPH CO.,

Respondent.

**ORIGINAL**

Case No. 5283

ORDER GRANTING TEMPORARY INTERIM RELIEF

Monnie Eberhart having filed a verified complaint and affidavit attached thereto alleging in substance that her telephone service at 2207 North Baldwin, Arcadia, California, under number Atlantic 65041, was disconnected on or about February 9, 1951, by officers or investigators of the office of the District Attorney of Los Angeles County, who alleged that said telephone was being used to violate the law of the State of California; that said communication facilities were not used by petitioner as an instrumentality to violate the law, nor in aiding or abetting such violation, and that petitioner has no purpose or intention to use any telephone in violation of law, and if telephone service is restored to petitioner it will be used only in a lawful manner and for lawful purposes; that on or about February 5, 1951, petitioner rented a room in her private residence to a certain person; that thereafter petitioner was away from her home until February 9, 1951; that on the latter date certain men who represented that they were from the District Attorney's office appeared for the purpose of apprehending the person who had rented a room from petitioner, and removed the telephone facilities from the residence of petitioner; that prior to February 9, 1951, petitioner had no knowledge and no reason to suspect that the person to whom she had rented a room was engaged in bookmaking or in any other violation of the law; that said person is no longer at the residence of petitioner; that petitioner is in ill

health and it is very necessary to the safety and well being of petitioner that telephone service be promptly restored to petitioner pending hearing and decision on her complaint; therefore,

IT IS ORDERED that The Pacific Telephone and Telegraph Company is hereby directed to restore telephone service to petitioner pending a hearing on said complaint and further Commission order thereon. Hearing on the complaint shall be had before such Commissioner or Examiner and at such time and place as may hereafter be designated.

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

The Secretary is directed further as follows:

1. To cause a copy of this order to be mailed to petitioner.
2. To cause notices of hearing to be mailed to petitioner and respondent at least ten (10) days before the hearing herein.

Dated, San Francisco, California, this 4<sup>th</sup> day of April, 1951.

A. J. [Signature]  
Justice F. [Signature]  
[Signature]

Commissioners