

ORIGINALDecision No. 45887

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

LEE E. BASSETT,

Petitioner,

vs.

Case No. 5306

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Respondent.

ORDER GRANTING TEMPORARY INTERIM RELIEF

Lee E. Bassett, petitioner herein, having filed a verified complaint alleging in substance: that his telephone service at 1519 Lemon Street, Vallejo, California, under telephone number 3-7183, may be discontinued and disconnected on or about June 25, 1951, by The Pacific Telephone and Telegraph Company because of information received by the latter from the Office of the Attorney General of the State of California that the communication facilities hereinabove described were being used to violate the law, or to aid and abet the violation of the law; that petitioner will suffer irreparable injury to his reputation and great hardship to himself and his family in the event of the loss and disconnection of said telephone service; that said contemplated action is wholly without cause or justification; that the action contemplated by defendant constitutes an attempt to deprive petitioner of property without due process of law, and of trial by jury, and of the presumption of innocence, in violation of the Constitution of the United States, the Constitution of the State of California and the statutes of the State of California; that no determination, judgment or decision by any court of the State

of California has been made that the communication facilities at the above-referred to address have at any time been used as an instrumentality to violate the law or to aid or abet the violation of the law; therefore,

IT IS ORDERED that The Pacific Telephone and Telegraph Company is hereby restrained and enjoined from discontinuing or disconnecting the telephone service now being furnished to petitioner at the above-referred to address pending a hearing before this Commission and further order thereon. The complaint, assigned to Commissioner Huls, is set for hearing before Commissioner Huls or such 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 defendant is directed to serve and file its answer to said complaint within ten days after said service. The Secretary is directed further to cause a copy of this order to be mailed to complainant forthwith.

Dated, San Francisco, California, this 26th day of June, 1951.

W. J. Montgomery
Justice J. Cassin
Harold P. Huls
Kenneth H. Peters
John J. DeBell
Commissioners