

ORIGINALDecision No. 46594

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

THOMAS ROSS,

Complainant,

vs.

Case No. 5346

THE PACIFIC TELEPHONE AND
TELEGRAPH COMPANY,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

THOMAS ROSS having filed a verified complaint alleging in substance that complainant owns real property at 6033 and 6033 1/4 Atlantic Boulevard, Maywood, California, conducts a real estate business at 6033 Atlantic Boulevard, and has an apartment unit to the rear of the office known as 6033 1/4 Atlantic Boulevard; that prior to May 25, 1951 complainant conducted business in the office and resided in the apartment unit; and that an extension on the office telephone was in use in the apartment; and that on May 25, 1951 complainant rented the apartment, closed the office, was out of town for several days, on returning found that telephone service had been disconnected, and has been informed that the reason for disconnection was that the telephone facilities in the apartment were being used for an illegal purpose.

Complainant alleges further that he rented the apartment in good faith, without any knowledge or suspicion of proposed illegal use of telephone facilities by the tenant; that complainant had intended to have the telephone extension in the apartment discontinued upon his return to Maywood in the first week of June, 1951; that he

now has no telephone facilities in his real estate office, and will suffer irreparable damage, business and financial loss, and severe hardship, unless telephone service is immediately restored at 6033 Atlantic Boulevard, Maywood; and requesting a temporary order restoring telephone service pending hearing and decision on the complaint; therefore

IT IS ORDERED that The Pacific Telephone and Telegraph Company is hereby directed to restore telephone service to complainant pending hearing on said complaint and further Commission order thereon, such service to be furnished pursuant to defendant's filed tariff rates and rules applicable thereto. The complaint will be set for hearing before such Commissioner or Examiner, and at such time and place, as may hereafter be designated.

The Secretary is directed as follows:

1. 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.

2. To cause copies of this order to be mailed to complainant and to complainant's attorney.

3. To cause appropriate notice of hearing to be mailed to the parties at least ten (10) days prior to the hearing herein.

Dated, San Francisco, California, December 27th 1951.

Q. J. J. J.

 President

James F. Cramer
Joseph H. Potter
John E. McMill

Commissioners