

Decision No. 49766**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SALVATORE BADAGLIACCO,

Complainant,

vs.

Case No. 5529

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

SALVATORE BADAGLIACCO, of 2455 Griffin Avenue, Los Angeles, California, having filed a verified complaint alleging in substance that prior to February 18, 1954 complainant was a telephone subscriber of defendant, under numbers Capital 2-5994 and Capital 1-8822; that on or about February 18, 1954 the telephone facilities of complainant were disconnected by the Los Angeles Police Department and that Louis Gorine and Salvatore Badagliacco, Jr., were arrested on suspicion of bookmaking at said address; that complainant had no knowledge that said person or persons were using said telephone service for the purpose of bookmaking, and it was without complainant's knowledge and without complainant's consent; that complainant has three apartments in the upper portion of his house; that Apartment B was rented to Joseph Rocco and telephone number Capital 2-5994 was installed in that apartment; that downstairs complainant had telephone number Capital 1-8822, which has also been disconnected; that defendant has refused to restore telephone facilities to complainant; that complainant did not use and does not now intend to use said telephone facilities as an instrumentality to violate the law, nor

in aiding or abetting such violation; and that complainant has suffered and will suffer irreparable injury and great hardship as a result of being deprived of telephone facilities; 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, said 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 said service.
2. To cause a copy of this order to be mailed to complainant.
3. To cause appropriate notice of hearing to be mailed to the parties at least ten (10) days prior to the hearing herein.

Dated, Los Angeles, California, this 9th day of March, 1954.

A. J. [Signature]
President
Justus J. [Signature]
[Signature]
[Signature]
[Signature]
Commissioners