

Decision No. 49819**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JOE PASSALACQUA,

Complainant,

vs.

Case No. 5533

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

JOE PASSALACQUA, of 151 West 121st Place, Los Angeles, California, having filed a verified complaint alleging in substance that prior to March 6, 1954 complainant was a telephone subscriber of defendant under number Pleasant 4-6445, that on or about March 6, 1954 the telephone facilities of complainant were disconnected by the Los Angeles Sheriff's Department; that complainant is in the painting and roofing business and that on March 6, 1954 some friends had come to complainant's home while complainant was out on a construction job; that, simultaneously with complainant's return from work, the Sheriff's Officers came to the house on an investigation; that, if any betting or gambling was going on in the premises that afternoon, it was unknown to complainant and was without complainant's consent; 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; that complainant is under a doctor's care and has need of a telephone; 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 or 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, San Francisco, California, this 23rd day of
March, 1954.

R. B. [Signature]
President

Justus J. [Signature]

[Signature]

[Signature]

[Signature]
Commissioners