

**ORIGINAL**Decision No. 49908

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GABRIELLA EGGNAUER,

Complainant,

vs.

Case No. 5539

THE PACIFIC TELEPHONE AND  
TELEGRAPH COMPANY, a corporation,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

GABRIELLA EGGNAUER, of 433 East 76th Street, Los Angeles, California, having filed a verified complaint alleging in substance that prior to March 20, 1954 complainant was a telephone subscriber of defendant under number Pleasant 8-4891, that on or about March 20, 1954 the telephone facilities of complainant were disconnected by defendant because, on or about March 12, 1954, police officers of the Los Angeles Police Department had arrested complainant and said that the telephone had been used for bookmaking; that on March 18, 1954 complainant was released fully from said charge on a writ of habeas corpus; that no complaint was filed and that said Police Department at no time had any facts which would warrant an arrest on charges of bookmaking or suspicion of bookmaking; 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 said facilities were never used by complainant for illegal purposes; 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 13<sup>th</sup> day of April, 1954.

A. F. Johnson  
President

Justus F. Coburn

Richard E. Mitchell

James Higgins

Commissioners