

Decision No. 51336

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JAMES W. SALMON and RUTH M. LEAHY,
Complainants,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Case 5641

ORDER GRANTING TEMPORARY INTERIM RELIEF

JAMES W. SALMON and RUTH M. LEAHY, 3225 Twenty Second Street, San Francisco, California, having filed a verified complaint alleging in substance that prior to February 11, 1955 complainants were telephone subscribers of defendant at said address, under number VALENCIA 6-9808; that on or about February 11, 1955 the telephone facilities of complainants were disconnected by defendant upon the ground that said facilities were being used as an instrumentality to violate or to aid and abet the violation of the law; that no arrest has been made nor complaint filed concerning any violation of law in connection with said facilities, either directly or indirectly; that defendant has refused to restore telephone facilities to complainants; that said facilities have not and will not be used by complainants or any other person as an instrumentality to violate the law, nor in aiding or abetting such violation; and that complainants have suffered and will continue to suffer irreparable 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 complainants

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 complainants.
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 19th day of April, 1955.

John E. Powell
President
James J. Galloway
James J. Galloway
William J. Galloway
Commissioners