

Decision No. 52080**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

HERBERT S. FORMAN, doing business
as HERB'S SEA FOODS,

Complainant,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Case No. 5685

ORDER GRANTING TEMPORARY INTERIM RELIEF

HERBERT S. FORMAN, operating a fish market at 8371 West Third Street, Los Angeles, California, having filed a verified complaint alleging in substance that complainant is a telephone subscriber of defendant at said address, under number WEBster 9-9331; that on or about September 8, 1955 complainant was advised by defendant that the latter had received information to the effect that said communication facilities were being used as an instrumentality to violate the law or in abetting such violation, and would be disconnected; that thereafter said facilities were disconnected; that complainant has no knowledge of the facts upon which defendant purports to have based its action; that defendant has refused and failed to furnish such information to complainant; that said facilities were not used to violate the law, nor in aiding or abetting such violation, but were in fact used for business purposes and in connection with the operation of a retail fish business, personal and social calls; and that complainant has suffered injury to his

reputation and great hardship as a result of such disconnection; 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 and to complainant's counsel.
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 18th day of October, 1955.

John E. Mitchell
 President
Justin J. O'Connell
Raula L. ...
...
 Commissioners