

Decision No. 52600**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MARK ANTHONY PETERCUPO,

Complainant,

v.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Case No. 5717

ORDER GRANTING TEMPORARY INTERIM RELIEF

MARK ANTHONY PETERCUPO, doing business as Mark Anthony Theatrical Agency, at 833 Powell Street, San Francisco, California, having filed a verified complaint stating in substance that he was a subscriber of defendant at said address, under telephone number DOuglas 2-8887; that on or about January 26, 1956, his telephone facilities were disconnected by or at the request of the San Francisco Police Department; that there is no evidence that the complainant has used the telephone facilities for the purpose of bookmaking and there is no evidence to show that said telephone had, at any time in the past, been used for illegal purposes; that complainant did not 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 has suffered and will continue to suffer irreparable injury and great hardship as a result of being deprived of said 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 7th day of February, 1956.

John E. Mitchell
President

Justus D. Craven
Raymond J. Jitarovic
William J. Spahr
Commissioners