

Decision No. 53317**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MATTHEW J. GLAVIANO,

Complainant,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Case No. 5790

ORDER GRANTING TEMPORARY INTERIM RELIEF

MATTHEW J. GLAVIANO, of 1715 Primrose, Alhambra, California, having filed a verified complaint alleging in substance that prior to May 15, 1956, complainant was a telephone subscriber of defendant under number ATLantic 2-5332; that on or about May 15, 1956, the telephone facilities of complainant were disconnected by or at the request of the Alhambra Police Department or the Los Angeles County Sheriff's Office, who arrested complainant on suspicion of book-making; that on May 28, 1956, at the preliminary hearing, the case against complainant was dismissed, there being no evidence introduced indicating that such facilities were being used for any illegal purpose; 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 has suffered and will suffer irreparable injury and great hardship in that it is necessary that telephone facilities be available for contacting a doctor because of ill relatives residing at said address; 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 2nd day of July, 1956.

Justice J. Calmes President
Ray G. Winterstein
By Henry