

Decision No. 53669**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

HENRY F. CANNON,

Complainant,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Case No. 5811

ORDER GRANTING TEMPORARY INTERIM RELIEF

HENRY F. CANNON, having filed a verified complaint stating in substance that he resides at 68 Sixth Street, San Francisco, California, and that prior to June 1955, he was a subscriber to telephone service installed and maintained by defendant telephone company at said address with telephone number UNDERHILL 1-9956; that on or about June 12, 1955, said telephone service was disconnected by defendant upon the alleged ground of complainant's use of said telephone service for illegal purposes; that complainant is engaged in the operation of a hotel business at said 68 Sixth Street under the name of Hotel Home and has suffered loss of income, embarrassment and inconvenience as a result of the lack of said telephone service; that complainant, during the time he was subscriber to telephone service from defendant, never used said telephone service or facilities to transmit communications regarding any illegal activity, nor did he utilize said facilities as an instrument to violate the law; and that if said telephone facilities are restored, he will utilize said service for legitimate business communications and does not intend to nor will he utilize

such telephone service as an instrument to violate the law; that although demand has been made upon defendant to restore said telephone service, it has refused to do so, 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 at Los Angeles, California, this 29th day of August, 1956.

John E. Mitchell
President
Justin J. Casanova
Rand. L. L. L. L.
W. H. K. K.
R. K. K.
Commissioners