

Decision No. 53809**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GEORGETTE PEREZ,

Complainant,

vs.

Case No. 5824

PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

GEORGETTE PEREZ, 854 Templeton Avenue, Daly City, California, having filed a verified complaint alleging in substance that complainant was a telephone subscriber of defendant at said address, under number Delaware 3-6395; that under date of August 27, 1956 complainant was notified by defendant that the latter had been informed that such telephone facilities were being used as an instrumentality to violate or to aid and abet the violation of the law, and that such communication service would be discontinued; that said telephone facilities were disconnected by defendant on September 4, 1956; that complainant has been ill and under the care of a physician; that by reason of complainant's health and the health and welfare of her children and grandchildren it is necessary that telephone communication be available; that the hours of employment of complainant's husband are from 1:00 to 9:30 p.m. daily; that complainant has been advised by her husband that the latter has been questioned regarding his activities in placing horse-race wagers with a since-convicted

bookmaker, but that no wagers were placed from the home telephone, all of said bets having been placed over a telephone outside the family home; that at no time did complainant, or any member of her family in her presence, use said telephone for the purpose of engaging in bookmaking activities in any manner whatever; that at no time did complainant ever engage in any form of bookmaking or wagering on said premises, and at no time, within complainant's knowledge, did anyone ever use said telephone for such purposes; and that continued deprivation of a telephone will impose on complainant and her family a hardship which is wholly unwarranted under the circumstances, and tend to interfere with the health, safety and welfare of complainant and her family, 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 at San Francisco, California, this 25th day of SEPTEMBER, 1956.

Peter E. Mitchell
President
Justus J. Cassara
Ray J. Linterman
Walter H. Hader
R. K. Kozzo
Commissioners.