

Decision No. 55624**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MARTIN CUSIMANO,

Complainant,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Case No. 5985

ORDER GRANTING TEMPORARY INTERIM RELIEF

MARTIN CUSIMANO, 119½ South Avenue 22nd, Los Angeles, California, having filed a verified complaint alleging in substance that complainant was a telephone subscriber of defendant at said address, under number Capital 1-3016; that on or about January 9, 1957 such telephone facilities were removed by defendant pursuant to instructions from the Los Angeles Police Department, which Department caused complainant to be arrested on a charge of bookmaking; that on May 3, 1957 complainant was found not guilty of said charge; that complainant owns a restaurant and bar, and needs telephone service in connection with his business; 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 made demand upon defendant to have telephone facilities restored, but defendant has refused to do so; and that complainant has suffered and will suffer irreparable injury to his reputation


and great hardship as a result of being deprived of 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:

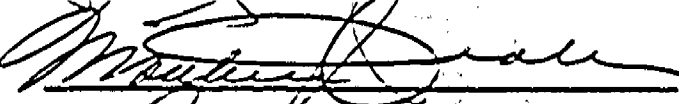
1. To cause a certified copy of this order, together with a copy of the complaint herein, to be served upon The Pacific Telephone and Telegraph Company, and said defendant is directed to serve and file its reply to said complaint within ten (10) days after said service.
2. To cause a copy of this order to be mailed to complainant 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 1st day of October, 1957.

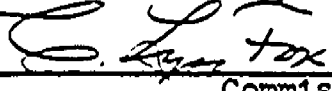


 President









 Commissioners