

ORIGINALDecision No. 55647

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

 RUDOLPH W. HOWARD,

Complainant,

vs.

Case No. 5989

 THE PACIFIC TELEPHONE AND TELEGRAPH
 COMPANY, a corporation,
Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

RUDOLPH W. HOWARD, 1375 Hauser Blvd., Los Angeles, California, having filed a verified complaint alleging in substance that complainant was a telephone subscriber of defendant at said address, under number WEBster 9-1459; that on or about September 7, 1957 such telephone facilities were disconnected by defendant pursuant to advice from the Los Angeles Police Department that complainant was using the telephone to violate the law by taking horse bets on the telephone; that the Los Angeles police, upon entering complainant's home, after thorough search, found nothing, and the case was dismissed in court; that complainant was working and not at home at the time, and the telephone was being used by his landlady; that complainant has made no violation of the law; 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 the telephone is now disconnected; and that complainant has suffered and will suffer business loss and injury

to his reputation and also 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 8th day of October, 1957.

W. E. Washburn
 President

Ray S. Listerman

Walter H. Dool

B. H. H. H.

S. L. Fox
 Commissioners.