

ORIGINAL

Decision No. 56365

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ELSIE LARSON,)	
)	
Complainant,)	
)	Case No. 6054
vs.)	
)	
THE PACIFIC TELEPHONE AND)	
TELEGRAPH COMPANY, a corporation,)	
)	
Defendant.)	

Joseph T. Forno, for complainant.
Lawler, Felix & Hall, by Thomas E. Workman, Jr.,
for defendant.
Harold W. Kennedy, County Counsel, by Terry C.
Smith, Deputy County Counsel, for Los Angeles
County Sheriff's Department, Intervenor.

O P I N I O N

Public hearing was held in this matter before Examiner Grant E. Syphers in Los Angeles on April 3, 1958, at which time evidence was adduced and the matter submitted. It now is ready for decision.

The complainant, Elsie Larson, resides at 20848 Denker Avenue, Torrance, California. Her brother, Warren Thompson, also lives at that same address.

On July 17, 1957, the sheriff's department of the County of Los Angeles was advised that bookmaking activities were being conducted at telephone FAirfax 8-3890, which telephone was located at the above-listed address. A deputy sheriff called this number

and placed a bet over the telephone. Later he and other deputies went to the premises at 20848 Denker Avenue and there found one Ethelyne Chatman in the kitchen with certain betting paraphernalia, including markers and scratch sheets. While the officers were in the house several bets were received over the telephone. At that time the telephone was taken from the premises and Ethelyne Chatman was arrested.

The complainant, Elsie Larson, testified that she did not know Ethelyne Chatman, and as a matter of fact had never seen her. Furthermore, she was not aware that Ethelyne Chatman had been using the telephone for any purpose whatsoever.

Warren Thompson, the brother of the complainant, testified that he did not know Ethelyne Chatman; however, he had arrived at the house on July 17, 1957, just prior to the time the deputy sheriffs arrived.

The testimony further discloses that neither the complainant nor her brother has used the telephone for bookmaking activities.

The complainant has been without telephone facilities since July 17, 1957. On that date the Sheriff of Los Angeles County forwarded a letter to the defendant telephone company requesting that the telephone facilities which had been under consideration be disconnected. Subsequently the disconnection was effected, and it was the position of the telephone company that the receipt of the letter from the Sheriff constituted reasonable cause permitting the disconnection of the telephone facilities.

Complainant has demanded a restoration of telephone facilities, but defendant has refused to comply with this demand.

Upon this record we find that the telephone company exercised due care in taking the action it did, and we further find that this action was based upon reasonable cause as such term is used in Decision No. 41415, dated April 6, 1948, in Case No. 4930 (47 Cal. P.U.C. 853). We further find that the complainant now is entitled to a restoration of telephone service.

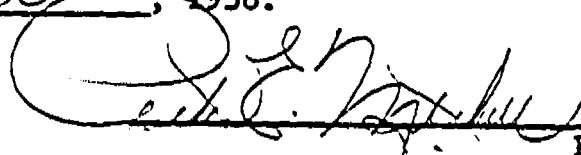
ORDER

The complaint of Elsie Larson against The Pacific Telephone and Telegraph Company having been filed, public hearing having been held thereon, the case now being ready for decision, the Commission being fully advised in the premises and basing its decision upon the evidence of record and the findings herein,

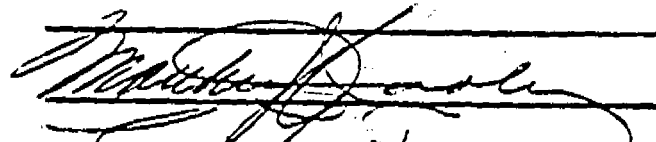
IT IS ORDERED that after the effective date of this decision and upon the filing of a proper application by the complainant, Elsie Larson, The Pacific Telephone and Telegraph Company shall install telephone service at the premises at 20848 Denker Avenue, Torrance, California, such installation being subject to all duly authorized rules of the telephone company and to the existing applicable laws.

The effective date of this order shall be twenty days after the date hereof.

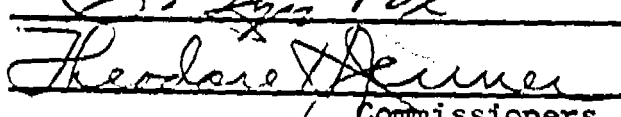
Dated at San Francisco, California, this 29th day of April, 1958.



President



Commissioners



Commissioners

Commissioner Ray E. Untereiner, being necessarily absent, did not participate in the disposition of this proceeding.