

ORIGINAL

Decision No. 57101

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MONNA GLENN,
 Complainant,
 vs.
 THE PACIFIC TELEPHONE AND
 TELEGRAPH COMPANY, a
 corporation,
 Defendant.

Case No. 6131

John R. Golden, for complainant.

Pillsbury, Madison & Sutro, John A. Sutro by
Dudley A. Zinke, for applicant.

O P I N I O N

A public hearing of the above matter was held before Examiner Thomas E. Daly on July 15, 1958, at San Francisco.

The record discloses that prior to June 18, 1958, complainant was a subscriber and user of telephone service by defendant under number Ordway 3-3229 at her residence, 1275 Bay Street, San Francisco; that on or about said date defendant discontinued such service following receipt of a letter from the Chief of Police of San Francisco, which indicated that complainant's telephone facilities may be used for an unlawful purpose; that the basis of such belief was a telephone call by some unidentified person who stated that said telephone facilities were being so unlawfully used. Complainant was not personally present and a doctor's certificate was received in evidence indicating that complainant is, and for some time past has been, under the care of her physician.

After consideration, and based upon the evidence of record, the Commission is of the opinion and so finds that the telephone

facilities in question were not used for unlawful purposes. The Commission also finds that the defendant telephone company's action in disconnecting said telephone facilities was based upon reasonable cause as that term is used in Decision No. 41415.

O R D E R

A complaint having been filed and the Commission being advised in the premises,

IT IS ORDERED that the telephone service which defendant discontinued be restored to complainant subject to the company's tariff rules and the applicable law.

The effective date of this order shall be the date hereof.

Dated at Los Angeles, California, this 5th day of August, 1958.

E. Lynn Fox
President

Paul B. Wilentz

William J. Doolan

Theodore Jenner

Commissioners

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