Decision No. 58158

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

R. D. BRADLEY, Jr.

Complainant,

VS.

Case No. 6239

GENERAL TELEPHONE COMPANY OF CALIFORNIA, a corporation,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

R. D. BRADLEY, JR., 361 East Broadway, Long Beach, California, having filed a verified complaint, alleging therein in substance that for more than 5 years last past, complainant has been a subscriber and user of telephone services furnished by defendant, under number HEmlock 7-8589, 361 East Broadway, Long Beach, California, which telephone was listed under the name of Bradley's Food Market; that on January 23, 1959, complainant was arrested by deputy sheriffs of the County of Los Angeles upon the alleged charge that he had been conducting bookmaking activities upon said premises and the telephone instrument was removed from the premises by said officers; that defendant then and there disconnected all telephone facilities in complainant's premises; that on or about January 27, 1959, the District Attorney's office of the County of Los Angeles ruled that there were insufficient facts, based upon the written report of said officers, to justify complainant's arrest or the issuance of a criminal complaint against him; that on January 28, 1959, the presiding judge of the Municipal Court of the Long Beach Judicial District, being advised of the District Attorney's refusal to issue a complaint against complainant, ordered the complainant

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released and discharged and his bail exonerated; complainant further alleged that said telephone facilities were not used as an instrumentality to violate the law or in aiding or abetting any such violation of the law, and that he has suffered and will continue to suffer great and irreparable financial loss unless, and until, such facilities are restored.

IT IS ORDERED that The Pacific Telephone and Telegraph Company is hereby directed to restore telephone service to complainant pending hearing on said complaint and 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 ton (10) days after said service.
- 2. To cause a copy of this order to be mailed to complainant.
- 3. To cause appropriate notice of hearing to be mailed to the said parties at least ten (10) days prior to the hearing herein.

Dated at	San Francisco	, California, thisday of
March	, 1959.	
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		Commissioners