

ORIGINAL

Decision No. 58502

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FRANK M. SPURGEON,
Complainant,

vs.

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

Case No. 6270

ORDER GRANTING TEMPORARY INTERIM RELIEF

FRANK M. SPURGEON, 3301 West 113th Street, Inglewood, California, having filed a verified complaint, alleging in substance that prior to April 14, 1959, complainant was a subscriber and user of telephone service furnished by defendant under number ORchard 7-5332, plus an extension, at 3301 West 113th Street, Inglewood, California; that on or about April 14, 1959, the telephone facilities of complainant were removed and disconnected by the defendant pursuant to instructions from the Los Angeles County Sheriff's office, which office caused complainant's wife, Mary C. Spurgeon, to be arrested on or about said date on a charge of suspicion of bookmaking; that neither complainant nor his wife used and do not now intend to use said telephone facilities as instrumentalities to violate the law nor in aiding or abetting such violation; that complainant and his wife are both in poor health and under a doctor's care; that there is an infant under the age of six months residing with complainant; and that it is imperative that complainant have continuous telephone service.

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 ten (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 parties at least ten (10) days prior to the hearing herein.

Dated at San Francisco, California, this 22nd day of May, 1959.

Ernest Fox
President

John A. Mitchell

Matthew J. Dool

Theodore D. Dool

Ernest Fox
Commissioners