

*Original*

Decision No. 58873

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RUSTICO P. GARCIA, )  
 )  
 Complainant, )  
 )  
 vs. )  
 )  
 THE PACIFIC TELEPHONE AND TELEGRAPH )  
 COMPANY, a corporation, )  
 )  
 Defendant. )

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Case No. 6325

ORDER GRANTING TEMPORARY INTERIM RELIEF

Rustico P. Garcia, 912 West Second Street, Los Angeles, has filed a verified complaint alleging in substance that on or about June 6, 1959 his telephone facilities at said address, under number MADison 8-5975, were disconnected by defendant pursuant to instructions from the Los Angeles Police Department, which department caused complainant to be arrested on a charge of suspicion of violation of Penal Code section 337a; that complainant has not used and does not now intend to use said telephone facilities as instrumentalities to violate the law nor in aiding and abetting such violation; that defendant has refused complainant's demand to have such facilities restored; that complainant operates a restaurant at said address, telephone service being imperative for proper conduct of his business; and that complainant has suffered and will continue to suffer irreparable injury and great hardship through deprivation of telephone facilities.


IT IS ORDERED that The Pacific Telephone and Telegraph Company is hereby directed to restore telephone service to complainant

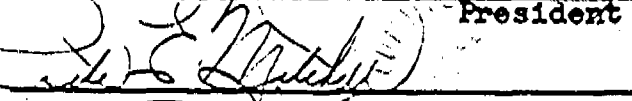
pending hearing on said complaint or further Commission order thereon, said service to be furnished pursuant to defendant's filed tariff rates and rules applicable thereto. The complaint will be set for hearing before such Commissioner or Examiner, and at such time and place, as may hereafter be designated.


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.
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 11th  
day of August, 1959.

  
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President

  
\_\_\_\_\_  
C. L. Fox

  
\_\_\_\_\_  
Theodore J. Deussen

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Commissioners

Commissioner Matthew J. Dooley, being necessarily absent, did not participate in the disposition of this proceeding.