

Decision No. 59458**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

AL LEVITT,

Complainant,

vs.

Case No. 6396

THE PACIFIC TELEPHONE AND TELEGRAPH  
COMPANY, a corporation,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

AL LEVITT, 5927 Penfield Avenue, Canoga Park, California, having filed a verified complaint, alleging in substance that prior to November 21, 1959, complainant was a subscriber and user of telephone service furnished by defendant under numbers DIamond 0-0846 and DIamond 8-5991, at said address; that on or about November 21, 1959, the telephone facilities of complainant were removed and disconnected by the defendant pursuant to instructions from the Los Angeles Police Department, which department caused complainant to be arrested on or about said date on a charge of suspicion of bookmaking; that complainant has not used and does not now intend to use said telephone facilities as instrumentalities to violate the law nor in aiding or abetting such violation; that complainant has made demand upon defendant to have the said telephone facilities restored but defendant has refused to do so; that complainant has suffered and will continue to suffer irreparable injury to his reputation and will suffer great hardship if deprived of said telephone facilities; that complainant's wife is under a doctor's care, and 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 5<sup>th</sup> day  
of January, 1960.

Gerrit H. Rose  
President  
E. L. Smith  
Matthew J. Smith  
E. L. Fox  
Theodore Jenner  
Commissioners