

Decision No. 59721**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

TOM DONOVAN,

Complainant,

vs.

Case No. 6422

THE PACIFIC TELEPHONE AND TELEGRAPH  
COMPANY, a corporation,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

TOM DONOVAN of 871 Sunset, Los Angeles, California, having filed a verified complaint alleging in substance that prior to January 30, 1960, complainant was a subscriber and user of telephone service furnished by defendant under number MADison 9-1788 at said address; that on or about January 30, 1960, the telephone facilities of complainant were removed and disconnected by the defendant pursuant to instructions from the Los Angeles Police Department, which department caused John Bunker, an employee of complainant, to be arrested on or about said date on a charge of suspicion of violation of Section 337a of the Penal Code; 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 had no knowledge that said telephone was used to violate the law; 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 is one of the owners of the business which has been deprived of said service and it is imperative that complainant have continuous service in order to properly conduct his business.

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 defendant.
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 29<sup>th</sup>  
day of FEBRUARY, 1960.

[Signature] President  
[Signature]  
[Signature]  
Theodore J. Jenner Commissioners