

ORIGINALDecision No. 59909

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RUSH SPINKS,

Complainant,

vs.

Case No. 6445

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

RUSH SPINKS of 2503 Lincoln Avenue, Altadena, California, having filed a verified complaint alleging in substance that prior to February 12, 1960, complainant was a subscriber and user of telephone service furnished by defendant under number SYcamore 7-8442 at said address; that on or about February 12, 1960, the telephone facilities of complainant were disconnected by the defendant pursuant to instructions from the Sheriff's Office, which office caused complainant to be arrested on or about said date on a charge 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 an instrumentality 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

service; that complainant does janitorial work and in this connection it is necessary that he be reached by telephone to call him to various jobs.

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 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 12th day
of April, 1960.

[Signature]
President
[Signature]
[Signature]
[Signature]
Commissioners