

ORIGINALDecision No. 60111

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GORDON L. HERMAN,

Complainant,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Case No. 6473

ORDER GRANTING TEMPORARY INTERIM RELIEF

GORDON L. HERMAN of 1016 Avalon Boulevard, Wilmington, California, having filed a verified complaint, alleging in substance that prior to April 14, 1960, complainant was a subscriber and user of telephone service furnished by defendant under number Terminal 4-0727 at said address; that on April 14, 1960, the telephone facilities of complainant were removed and disconnected by the defendant pursuant to instructions from the Los Angeles Police Department; that complainant was arrested on a charge of suspicion of violation of Section 337a of the Penal Code, but subsequently released; 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 restore the said telephone facilities, but defendant has refused to do so; that complainant will suffer great hardship and irreparable damage if deprived of said telephone facilities; that complainant is a

professional baseball umpire and depends upon a telephone to receive assignments and orders to work.

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 Los Angeles, California, this 17th day of May, 1960

Gravel

 President

J. L. Dittell

E. J. Lynch

 Commissioners