

Decision No. ~~60332~~**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DEWITT EATON,
Complainant,

vs.

Case No. 6562

THE PACIFIC TELEPHONE AND
TELEGRAPH COMPANY, a
corporation,
Defendant.ORDER GRANTING TEMPORARY INTERIM RELIEF

DEWITT EATON of 2306 South Union Avenue, Los Angeles, California, having filed a verified complaint, alleging in substance that prior to June 15, 1960, complainant was a subscriber and user of telephone service furnished by defendant under number Richmond 9-9060 at said address; that on or about June 15, 1960, the telephone facilities of complainant were removed and disconnected by the defendant pursuant to instructions from the University Vice Division, Los Angeles Police Department, which department caused one James Crocker to be arrested on or about said date at said premises on a charge of suspicion of violation of Section 337a of the Penal Code, bookmaking; that there was subsequently no complaint filed against the said James Crocker; that complainant did not use 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 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 co-owner of the barber shop from which such facilities were removed, and his livelihood depends upon retention of 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 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

28th day of June, 1960.

President

Theodore J. DeWitt
Commissioners