

**ORIGINAL**Decision No. 60433

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

HELEN L. KORTH,

Complainant,

vs.

Case No. 6415

PACIFIC TELEPHONE AND TELEGRAPH  
COMPANY, a corporation,

Defendant.

Marvin C. Hix, for complainant.  
Pillsbury, Madison & Sutro, John A. Sutro by  
Dudley A. Zinke, for defendant.

O P I N I O N

A public hearing was held before Examiner Thomas E. Daly on June 21, 1960, at San Francisco, and the matter was submitted.

The record indicates the following:

That Helen L. Korth, whose address is Suite 402 at 466 Geary Street, San Francisco, was a subscriber and user of telephone service furnished by defendant; that complainant Korth is a licensed physical therapist; that on or about January 25, 1960, defendant acting upon receipt of a letter from the Chief of Police of the City and County of San Francisco removed and disconnected said telephone facilities; that complainant was arrested on or about January 14, 1960, and charged with violation of Penal Code Sections 315 and 647, and Section 240 of the Municipal Police Code of San Francisco; that pursuant to an interim order of its Commission signed February 23, 1960, defendant was ordered to restore telephone service to complainant pending hearing on her complaint; and that complainant has since been acquitted of all criminal charges.

After consideration, the Commission finds and concludes that defendant herein acted upon reasonable cause in disconnecting the telephone facilities above mentioned and that said telephone facilities were not used for the purpose of facilitating or soliciting the commission of an unlawful act.

O R D E R

A complaint having been filed and the Commission being advised in the premises,

IT IS ORDERED that the order in Decision No. 59691 in the above-numbered case, dated February 23, 1960, temporarily restoring service to complainant, be made permanent.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 26th day of July, 1960.

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President

*W. H. Mitchell*  
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*Theodore Jensen*  
Commissioners

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.