

Decision No. 60835**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JOHANNA CAVANNA,

Complainant,

vs.

Case No. 6506

THE PACIFIC TELEPHONE AND TELEGRAPH  
COMPANY, a corporation.

Defendant.

Robert A. Dobbins, for complainant.Pillsbury, Madison & Sutro, John A. Sutro,  
by Dudley A. Zinke, for The Pacific  
Telephone and Telegraph Company.O P I N I O N

A public hearing was held before Examiner Thomas E. Daly on September 9, 1960, at San Francisco.

The record indicates the following:

That Johanna Cavanna, whose address until September 1, 1960, was 70 Onandaga Avenue, San Francisco, was a subscriber and user of telephone service furnished by defendant; that on or about May 5, 1960, defendant acting upon receipt of a letter from the Chief of Police of the City and County of San Francisco, disconnected and removed said telephone facilities on the ground that said facilities were being used for the purpose of bookmaking; that pursuant to an interim order of this Commission signed June 14, 1960, defendant was ordered to restore telephone service to complainant pending hearing on her complaint; that in April, 1960, complainant permitted an acquaintance who was without funds and needing a telephone for sales work to use her telephone during the day while she was employed as a beauty operator; that complainant had no knowledge of this man's illegal activities until May 5, 1960; that she is presently living with a married daughter and although

she has no immediate use for telephone service she wishes the record made clear in the event she should make future application for service.

After consideration, the Commission finds and concludes that defendant herein acted upon reasonable cause in discontinuing complainant's telephone service and that complainant neither used nor conspired to use the above-mentioned telephone facilities for the purpose of facilitating or soliciting the commission of an unlawful act.

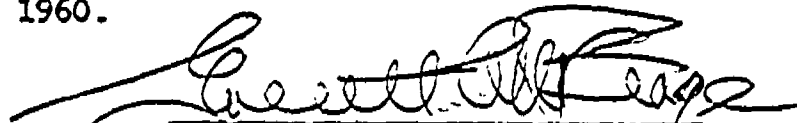


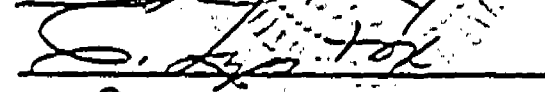

O R D E R

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

IT IS ORDERED that upon application defendant shall provide complainant with service subject to the company's tariff rules and the applicable law.

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

Dated at San Francisco, California, this 4th day of October, 1960.

  
President  
  
  
  
  
Commissioners