

ORIGINAL

Decision No. 61245

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

EMMYRT FEENEY, dba Bart Feeney, Union Oil Dealer Service Station,

Complainant,

vs.

Case No. 7032

PACIFIC TELEPHONE AND TELEGRAPH COMPANY, a California corporation,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

EMMYRT FEENEY, dba Bart Feeney, Union Oil Dealer Service Station, of 1720 Westmoreland Boulevard, Los Angeles, California, having filed a verified complaint alleging in substance that complainant operates a service station at 5902 West Pico Boulevard, Los Angeles, California, under the name and style of Bart Feeney's Union Oil Station; that said service station is a sole proprietorship, and no other person has any legal interest therein; that complainant was a subscriber and user of telephone service furnished by defendant at said service station under number WEbster 1-0708; that complainant has employed his brother, James Feeney, at said service station; that said James Feeney now is, and was at all times herein mentioned, an employee of complainant and has no financial or legal interest in said service station;

that on or about November 10, 1960, police officers of the City of Los Angeles arrested said James Feeney at said service station and charged him with four counts of violating Section 337a of the Penal Code; that at said time and place, said police officers disconnected and removed the telephone facilities of complainant; that complainant has made demand upon defendant to have the said telephone facilities restored, but defendant has refused to do so; that complainant had no knowledge that said telephone facilities were being used for any illegal purpose; and that complainant has suffered and will continue to suffer irreparable injury and great hardship if deprived of said telephone facilities;


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:

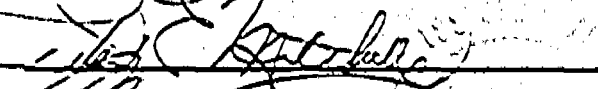
1. To cause a certified copy of this order, together with a copy of the complaint herein, to be served upon The Pacific Telephone and Telegraph Company, and said defendant is directed to serve and file its reply within ten (10) days after said service.


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.

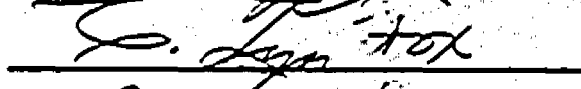
Dated at San Francisco, California, this 25th day of DECEMBER, 1960.




President









Commissioners