

**ORIGINAL**

Decision No. 61340

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORLO CLARENCE WELLS,

Complainant,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH  
COMPANY, a corporation,

Defendant.

Case No. 7045

ORDER GRANTING TEMPORARY INTERIM RELIEF

Orlo Clarence Wells of 1208 E. Palmer Street, Compton, California, having filed a verified complaint alleging in substance that complainant was a subscriber and user of telephone service furnished by defendant under number NEwmark 9-4493; that on or about February 4, 1959, the telephone facilities of complainant were removed and disconnected by defendant pursuant to instructions from the Los Angeles County Sheriff's Office, which office caused complainant to be arrested on or about said date on a charge of suspicion of violation of Section 337a of the Penal Code; that complainant has not used and does not now intend to use said telephone facilities as instrumentalities to violate the law or in aiding or abetting such violation; that complainant has made demand upon defendant to have the said telephone facilities restored but defendant has refused to do so; that complainant is an active member of numerous committees in the Elks Lodge and is employed as the manager of a restaurant and that it is imperative that

complainant have continuous telephone service for the proper conduct of his activities both within the Elks Lodge and the operation of the business; 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 17<sup>th</sup> day of January, 1961.

*Cecil A. Rose*  
 President

*C. L. Fox*