

**ORIGINAL**Decision No. 61395

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ERNEST DUKEHART,

Complainant,

vs.

Case No. 6990

THE PACIFIC TELEPHONE AND  
TELEGRAPH COMPANY, a  
corporation,

Defendant.

G. V. Brumbaugh, for complainant.  
Lawler, Felix & Hall, by A. J. Krappman, Jr.,  
 for defendant.

O P I N I O N

By the complaint herein, filed on October 7, 1960, Ernest Dukehart requests an order of this Commission that the defendant, The Pacific Telephone and Telegraph Company, a corporation, be required to reinstall telephone service at his home at 1702 West 107th Street, Los Angeles 47, California.

By Decision No. 60962, dated October 25, 1960, the Commission ordered that the defendant restore telephone service to the complainant pending hearing on the matter.

On November 7, 1960, the telephone company filed an answer, the principal allegation of which was that the telephone company, pursuant to Decision No. 41415, dated April 6, 1948, in Case No. 4930 (47 Cal. P.U.C. 853), on or about April 21, 1960, had reasonable cause to believe that the telephone service furnished to Ernest Dukehart under number PLYmouth 4-3424 at 1702 West 107th Street, Los Angeles, California, was being or was to be used as an

term is used in Decision No. 41415, supra, and we further find that the evidence fails to show that the complainant's telephone was used for any illegal purpose, and that therefore the complainant is entitled to restoration of telephone service.

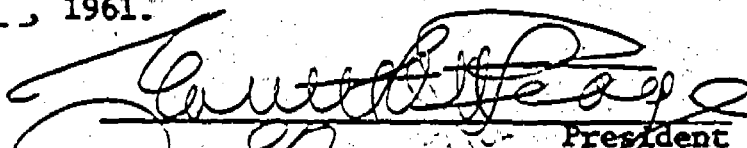
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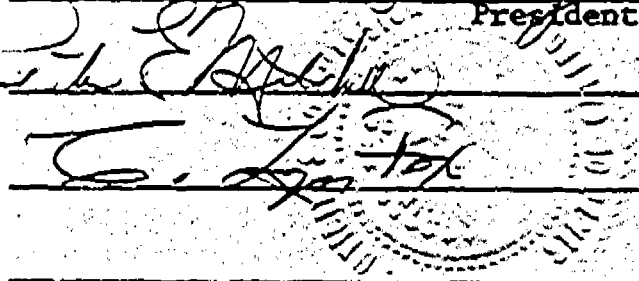
The complaint of Ernest Dukehart against The Pacific Telephone and Telegraph Company, a corporation, having been filed, a public hearing having been held thereon, the Commission being fully advised in the premises and basing its decision upon the evidence herein,

IT IS ORDERED that the order of the Commission in Decision No. 60962, dated October 25, 1960, in Case No. 6990, temporarily restoring telephone service to the complainant, be made permanent, such restoration being subject to all duly authorized rules and regulations of the telephone company and to the existing applicable law.

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

Dated at San Francisco, California, this 24th day of January, 1961.

  
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President

  
\_\_\_\_\_  
Commissioners

Commissioners