

ORIGINALDecision No. 62717

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

EDGAR J. SOKOL, dba
INTERNATIONAL TURF CLUB
OF SAN FRANCISCO,

Petitioner,

vs.

Case No. 7209

THE PACIFIC TELEPHONE AND
TELEGRAPH COMPANY, a corporation,

Respondent.

ORDER GRANTING TEMPORARY INTERIM RELIEF

Edgar J. Sokol, 323 Geary Street, Room 418,
San Francisco, California, having filed a verified complaint
alleging in substance that he operates a service for the dis-
pensing of expert information regarding race horses to patrons
of legitimate race tracks; that until October 13, 1961
complainant's business was served by four telephone outlets of
defendant under numbers SU 1-5926, SU 1-5927, SU 1-5928, and
SU 1-5929, such outlets being necessary to handle the volume
of business attracted by extensive radio and newspaper
advertising; that on October 13, 1961 complainant's telephone
service was disconnected by defendant, complainant being
advised by defendant that the latter had been informed that
such service was being used as an instrumentality to violate
or to aid and abet the violation of the law; that said tele-
phone facilities are not and never have been used as an
instrumentality to violate the law or to aid and abet such

violation, and will not be so used when service is restored; that such facilities have been used solely for the legal purpose of furnishing tips for winning horses at local race tracks to persons paying a membership fee, no bets being taken by complainant, no information furnished other than names of selected horses which complainant believes have the best chance of winning, no information furnished concerning track conditions, odds, jockeys, winning prices, or any other information which might aid and abet illegal gambling establishments, and complainant having no dealings with any person or organization he knows or suspects to be engaged in illegal gambling; that complainant is suffering irreparable damage due to inability of potential customers attracted by radio and press advertising to contact him, and will suffer great financial loss and hardship; that time is of the essence as the local racing season is now in progress but is of limited duration; that complainant's business was carried on with full knowledge of the San Francisco Police Department; and that no arrest has ever been made on complainant's premises, nor has complainant or any of his employees or agents ever been arrested in connection with the operation of such business, nor involved in any manner with illegal gambling.

Complainant having requested an order directing defendant to reconnect service pending hearing and determination on the merits, and good cause appearing,

IT IS ORDERED that The Pacific Telephone and Telegraph Company is hereby directed to reconnect and restore telephone service to complainant and to maintain such service pending further Commission order herein, 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 Los Angeles, California, this 24th day of OCTOBER, 1961.

 President
John E. Mitchell

S. L. Fox

George H. Grover

Frederick B. Holloff
 Commissioners

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