

ORIGINAL

62789

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ANTHONY L. DAWIDOZICZ,
Complainant,

vs.

GENERAL TELEPHONE COMPANY
of California,

Defendant.

Case No. 7215

ORDER GRANTING TEMPORARY INTERIM RELIEF

Anthony L. Dawidowicz, of 1301 Sixth Street, Santa Monica, California, having filed a verified complaint alleging in substance that complaint was a subscriber and user of telephone service furnished by defendant under number EXbrook 3-7458, that on or about September 13, 1961, the telephone facilities of complainant were disconnected by defendant purportedly upon probable cause for the belief that said telephone facilities were being used for unlawful purposes; that one Joe Hodgson was arrested by officers of the Santa Monica Police Department at the aforesaid premises on September 13, 1961, allegedly for bookmaking; that complainant permitted said Hodgson to use his premises for studying; that complainant was not arrested for any violation of law in connection with the use of said premises for bookmaking; that complainant did not at any time know that said premises were used, or were intended to be used, for unlawful purposes; that complainant is informed and believes and therefore alleges that officers of the Santa Monica Police Department were

informed by said Hodgson that complainant had no knowledge of the use of said telephone facilities for unlawful purposes; and complainant having requested an order directing the defendant to reconnect and restore said telephone pending a hearing and determination of the matters raised by the complaint; and good cause appearing,

IT IS ORDERED that General Telephone Company of California, defendant, 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 General Telephone Company of California, defendant, and said defendant is directed to serve and file its reply within ten (10) days after said service.
2. 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 14th day of November, 1961.

Charles W. Pease
 President

John E. McNeill

George F. Fox

George E. Grover

Fredrick B. Holshoff
 Commissioners