

ORIGINAL

Decision No. 62814

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JULES BOZZI,

Complainant,

-vs-

PACIFIC TELEPHONE AND TELEGRAPH
COMPANY,

Defendant.

Case No. 7228

ORDER GRANTING TEMPORARY INTERIM RELIEF

Jules Bozzi, doing business as Jules Bozzi Jeweler, at 169 South First Street, San Jose, California, having filed a verified complaint alleging in substance that complainant was a subscriber of telephone service furnished by defendant under numbers CYpress 2-9119 and CYpress 2-9120, that on or about October 12, 1961, said telephones were physically removed by law enforcement officers of Federal, State and Municipal governments, who indicated that the telephones were removed as evidence in a contemplated prosecution of complainant for bookmaking; that at all times complainant used said telephones in the conduct of his business of merchant, and did not at any time use such telephones for unlawful, immoral or illegal purposes; that defendant has refused complainant's request to continue service; that complainant has suffered and will continue to suffer great and irreparable harm if deprived of said telephone facilities; and complainant having requested an order directing the defendant to reconnect and restore said telephone service pending a hearing and

determination of the matters raised by the complaint; and good cause appearing,

IT IS ORDERED that The Pacific Telephone and Telegraph Company, a corporation, 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 San Francisco, California, this 16th day of November, 1961.

Walter B. Page
President
W. E. Mitchell
George Fox
George T. Throver
Fredrick B. Holbrook
Commissioners