

Decision No. 63111**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ANTHONY JOSEPH MARTELLA,

Complainant,

vs.

PACIFIC TELEPHONE COMPANY,
a corporation,

Defendant.

Case No. 7262

ORDER GRANTING TEMPORARY INTERIM RELIEF

Anthony Joseph Martella, whose address is 303 Q Street, Wilmington, California, having filed a verified complaint alleging in substance that complainant was a subscriber and user of telephone service furnished by defendant under number TE 5-9420, that on or about August 3, 1961 officers of the Los Angeles Police Department, entered complainant's residence without any type of warrant and arrested an acquaintance, namely, William A. Sisto; that on or about October 24, 1961, said Sisto pleaded guilty of violating Section 337a of the California Penal Code; that complainant never knew of, nor approved of, nor aided, nor abetted in the commission of said offense in any manner whatsoever; that as a result of the offense committed by said Sisto, defendant removed the aforementioned telephone installation at said residence address; that this service is vitally necessary to the health, safety and welfare of complainant's family; that complainant is ready, willing and able to pay reasonable charges for maintaining telephone service; that said telephone will not be used for any illegal or unlawful purpose; that complainant had made demand

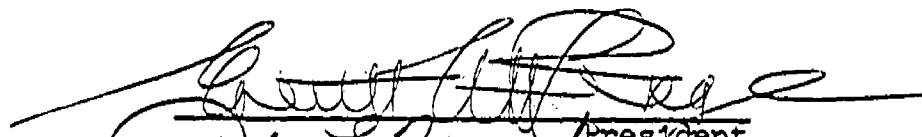
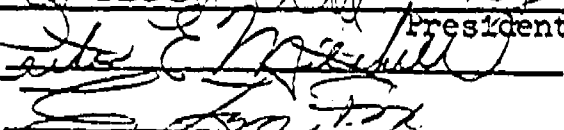
upon defendant, but that defendant continues to refuse to install normal telephone service; that complainant has performed and will continue to perform the obligations under his contract with said defendant; that complainant offers to stipulate with said defendant that said telephone service was removed with reasonable and probable cause; that if defendant is not made to show cause why it should not be made to immediately afford and maintain a service to the complainant, the complainant will suffer great and irreparable harm and damage; and good cause appearing,

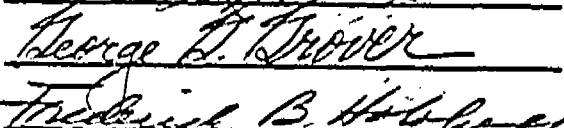
IT IS ORDERED that defendant Pacific Telephone Company, is hereby directed to reconnect and restore telephone service to complainant and to maintain such service pending further Commission order herein, said service to be furnished pursuant to defendant's filed tariff rates and rules applicable thereto. 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 Pacific Telephone 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 JANUARY, 1962.


 _____ President




 -2- _____ Commissioners