

**ORIGINAL**Decision No. 63172

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

BEN NEGRETE,

Complainant,

vs.

Case No. 7267

THE PACIFIC TELEPHONE AND  
TELEGRAPH COMPANY, a corpor-  
ation,

Defendant.

ORDER GRANTING TEMPORARY INTERIM RELIEF

Ben Negrete of Gardena, California, having filed a verified complaint alleging in substance that complainant was a subscriber and user of telephone service furnished by defendant under number Davis 4-9890, located at 15301 S. Vermont Avenue, Gardena, California, the complainant's place of business; that on or about April 1, 1961, the telephone facilities of complainant were removed and disconnected pursuant to instructions from the Los Angeles County Sheriff upon the arrest of a person using complainant's telephone facilities on charge of suspicion of violating Section 337a of the Penal Code; that complainant has not used and does not intend to use such telephone facilities to violate the law nor in aiding or abetting such violation; that complainant has made demand but defendant refuses to restore said facilities; that complainant has suffered and will continue to suffer irreparable injury to his reputation and hardship if deprived of such facilities, in that complainant is the owner and operator of a service station and it

is imperative that complainant have continuous telephone service for the proper conduct of his business; and complainant having requested an order directing defendant to restore said facilities 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, a corporation, 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 26<sup>th</sup> day of JANUARY, 1962.

George H. Brown  
President  
Friedrich B. Halbach

Peter E. Mitchell  
Commissioners C. Lyn Fox, being  
necessarily absent, did not participate  
in the disposition of this proceeding.

Commissioners