

Decision No. 63205**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

LEONA TAYLOR,

Complainant,

vs.

Case No. 7151

THE PACIFIC TELEPHONE AND TELEGRAPH  
COMPANY, a corporation,

Defendant.

Leona Taylor, in propria persona.  
Dudley A. Zinke, for defendant.O P I N I O N

This complaint, filed July 14, 1961, alleged that on or about July 2, 1959, police officers removed the telephone receivers from complainant's premises at 6009 Idaho Street in the City of Oakland and that she was arrested on the charge of bookmaking. At her subsequent trial complainant was convicted of gambling only and suspended sentence was imposed.

Thereafter, by order dated August 1, 1961, she was granted temporary interim relief and her telephone service was ordered reinstated. As further ordered, public hearing was held on August 31, 1961, in San Francisco and on November 30, 1961, in Oakland, before Examiner Rowe. On the latter date the matter was submitted for decision.

After consideration of a stipulation by counsel for defendant dated December 18, 1961, which is hereby made a part of the record, together with all the evidence of record, the Commission finds and concludes that the telephone company's conduct was required by its

tariff and was based upon reasonable cause as such term is used in Commission Decision No. 41415, dated April 6, 1943, in Case No. 5761.

Appropriate law enforcement officers in Oakland were notified by the Commission of the time and place of hearing but none appeared. It is hereby found that said telephone facilities have not been shown to have been used by complainant nor with her knowledge or consent to violate the law. She assures the Commission that she requires the use of a telephone in the management of her eleven unit apartment building, and to call a physician in connection with a heart condition, and that she will not put the telephone to an unlawful use. After a review of all the evidence the Commission concludes that complainant's telephone service should be restored.

O R D E R

Public hearing having been held and based upon the above findings,

IT IS ORDERED that the order of the Commission in Decision No. 62362, dated August 1, 1961, temporarily restoring telephone service to complainant, is made permanent.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 6th day of FEBRUARY, 1962.

*Walter H. Hayes*  
President

*W. J. [unclear]*

*C. L. Fox*

*George E. Grover*

*Fredrick B. Hildoff*  
Commissioners