

ORIGINAL

Decision No. 63369

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DOROTHY V. LINCOLN,
Complainant,

vs.

THE PACIFIC TELEPHONE AND
TELEGRAPH COMPANY, a
corporation,

Defendant.

Case No. 7261

Frederick Campagnoli, for complainant.

Pillsbury, Madison and Sutro, by Dudley A. Zinke,
for defendant.

O P I N I O N

A public hearing on the above matter was held before Examiner Thomas E. Daly on February 6, 1962. The record discloses the following:

That complainant resides at 1853A Stockton Street, San Francisco; that prior to June 29, 1961, she was a subscriber of defendant's telephone service under number GA 1-1796; that on said date the United States Treasury Department, Internal Revenue Service, removed said facilities because they were assertedly used for an unlawful purpose; that by letter dated June 30, 1961, the Federal agency informed defendant of its action; that on January 9, 1962, the Commission issued an order restoring service pending further Commission order; that no appearance was made on behalf of the United States Treasury Department; and that complainant, who suffers from arthritis and is under the doctor's care, has no

knowledge of the unlawful use of said facilities.

After consideration, the Commission finds and concludes that there is not sufficient evidence upon which to base a finding that the telephone in question was used for an unlawful purpose. The Commission further finds that defendant herein acted upon reasonable cause in refusing to restore complainant's telephone service.

O R D E R

A complaint having been filed and the Commission being advised in the premises,

IT IS ORDERED that the Commission's order granting interim relief in Decision No. 63009 is hereby 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 MARCH, 1962.

George W. Brown
President

W. J. Hill

E. J. Fox

George H. Hoover

Fredrick B. Helshoff
Commissioners