

ORIGINALDecision No. 63846

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DEWITT EATON,

Complainant,

vs.

Case No. 7377

THE PACIFIC TELEPHONE AND
TELEGRAPH COMPANY, a corpora-
tion,

Defendant.

ORDER GRANTING INTERIM RELIEF

Dewitt Eaton, of 1410 West Fifty-fourth Street, Los Angeles, California, having filed a verified complaint alleging in substance that complainant was a subscriber and user of telephone service furnished by defendant under number Pleasant 3-9218, consisting of a coin box plus two extensions; that on or about June 16, 1962, said telephone facilities were removed and disconnected by defendant pursuant to instructions from the Los Angeles Police Department, which department caused one Fred Crumpton to be arrested at said location on a charge of suspicion of violating Section 337a of the Penal Code; that the charges were dismissed against said Fred Crumpton; that complainant did not use and does not now intend to use said facilities to violate the law nor in aiding or abetting such violation; that complainant has made demand but defendant has refused and still refuses to restore said facilities; that complainant has suffered and will continue to suffer irreparable

injury to his reputation and great hardship if deprived of said facilities, in that complainant is the owner of a barbershop from which the aforementioned facilities were removed, and said facilities are used in the making of appointments for services of barbers and the convenience of customers; and complainant having requested an order directing the defendant to restore said communication facilities pending a hearing on the matter; 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 26th day of JUNE, 1962.

George B. Trevino
 President
John R. Hatcher
George B. Trevino
Fredrick B. Halliwell
 Commissioners

Commissioner C. Lyn Fox, being necessarily absent, did not participate in the disposition of this proceeding.