

Decision No. 63897

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

THOMAS A. FITZSIMON,  
Complainant,

vs.

Case No. 7392

PACIFIC TELEPHONE AND TELE-  
GRAPH COMPANY,

Defendant.

ORDER GRANTING INTERIM RELIEF

Thomas A. Fitzsimon of 5536 Candlelight Drive, La Jolla, California, having filed a verified complaint alleging in substance that telephone service was removed from his business; that no criminal charges have subsequently been filed against him; that said telephone was never used for unlawful purposes in the past and will not be used for unlawful purposes in the future; that complainant has been in business at 5624 La Jolla Boulevard, La Jolla, California, for more than six years, and that each day he is without a telephone at his business he suffers a loss; that his wife is extremely ill with heart trouble, arthritis and a broken hip, for this reason it is necessary to have a phone at his place of business in order to communicate with his wife in case of emergency; that he needs immediate restoration of telephone service in order to avoid irreparable damage to his business; and complainant having requested an order directing defendant to reconnect and restore telephone service 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 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 \_\_\_\_\_, California, this \_\_\_\_\_ day of \_\_\_\_\_, 1962.

George G. Hoover  
President

[Signature]

[Signature]

[Signature]

Frederick B. Hallock  
Commissioners