

Decision No. 64120**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DONALD MICHELUCCI,  
Complainant,

vs.

PACIFIC TELEPHONE COMPANY,  
a corporation,

Defendant.

Case No. 7420

ORDER GRANTING TEMPORARY INTERIM RELIEF

Donald Michelucci, of 307 Ottilia Street, Bayshore City, County of San Mateo, California, having filed a verified complaint alleging in substance that prior to July 18, 1962, complainant was a subscriber and user of telephone service furnished by defendant under number DELaware 3-2461 at said address; that on or about July 18, 1962, the telephone facilities of complainant were removed and disconnected by the defendant purporting to be based upon probable cause for the belief that said telephone facilities were being used for unlawful purposes; that complainant did not use and does not now intend to use said telephone facilities as instrumentalities to violate the law nor in aiding or abetting such violation; that complainant has made demand upon defendant to have said telephone facilities restored, but defendant has refused to do so; that complainant has a family consisting of his wife and three minor children; that his said wife is employed at a time different from that of complainant;

that speedy communication is needed in complainant's home to protect the welfare of said minor children and said wife; and that complainant has suffered and will continue to suffer great hardship if deprived of said telephone facilities;

IT IS ORDERED that Pacific Telephone 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 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 17th  
day of AUGUST, 1962.

George G. Brewer  
President

John L. Mitchell

E. L. Fox

Robert W. Hoag

-2- Frederick B. Hobbins  
Commissioners