

ORIGINALDecision No. 65117

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

AGGIE ALLEN,

Complainant,

vs.

Case No. 7574

THE PACIFIC TELEPHONE & TELEGRAPH
COMPANY, a corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

Aggie Allen, of 580 Spruce Street, Oakland, California, having filed a verified complaint alleging in substance that complainant and her husband were subscribers and users of telephone service at said address under the number of Highgate 4-4337; that on or about December 12, 1962, the telephone facilities of complainant were removed and disconnected by defendant pursuant to instructions from the Oakland Police Department, which caused complainant's husband to be arrested on a charge of violating Penal Code section 337a; that thereafter complainant's husband was convicted of said offense, and is presently serving a sentence; that complainant has not used 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 and does now still refuse to do so; that complainant has suffered and will continue to suffer irreparable injury to her

reputation and will suffer great hardship if deprived of said telephone facilities; that complainant earns her livelihood as a realtor, and that it is imperative that complainant have continuous telephone service for the conduct of her business activities; that complainant seeks restoration of said telephone service forthwith; 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 19th day of March, 1963.

George T. Grover
President

Carol W. Papp

Fredrick B. Hallock

William W. Bernard
Commissioners

I dissent
John E. Mitchell