

**ORIGINAL**

Decision No. 65130

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DOROTHEA WEBB,

Complainant,

vs

Case No. 7505

THE PACIFIC TELEPHONE AND  
TELEGRAPH COMPANY, a corporation,

Defendant.

Dorothea Webb, for self, complainant.  
Lawler, Felix & Hall, by A. J. Krappman, Jr.,  
for defendant.  
Roger E. Arnebergh, City Attorney, City of Los  
Angeles, by Wm. E. Doran, Deputy City Attorney,  
intervener.

O P I N I O N

Complainant seeks restoration of telephone service at 145 East 76th Street, Los Angeles, California. Interim restoration was ordered pending further order (Decision No. 64617).

Defendant's answer alleges that on or about May 16, 1962, it had reasonable cause to believe that service to Dorothea Webb under number PL 2-7628 was being or was to be used as an instrumentality directly or indirectly to violate or to aid and abet violation of law, and therefore defendant was required to disconnect service pursuant to the decision in Re Telephone Disconnection, 47 Cal. P.U.C. 853.

The matter was heard and submitted before Examiner DeWolf at Los Angeles, California, on February 13, 1963.

By letter of May 14, 1962, the Chief of Police of the City of Los Angeles advised defendant that the telephone number PL 27628 was being used to disseminate horse-racing information used in connection with bookmaking in violation of Penal Code Section 337a, and requesting disconnection (Exhibit 1).

Complainant testified that she is a housewife with two children, two and ten years of age, and that when the children are ill she needs a phone to call a doctor; that on the day of the arrest she answered the telephone and while talking to one of the officers there was a loud noise caused by the other officers breaking open the door. She testified that she did not use the phone for bookmaking and did not accept a bet from the officer on the phone. She was without telephone service for more than six months from May to December; that she has great need for telephone service; and that she did not and will not use the telephone for any unlawful purpose.

A deputy city attorney appeared and intervened for the City of Los Angeles and cross-examined the complainant.

We find that defendant's action was based upon reasonable cause, and the evidence fails to show that the telephone was used for any illegal purpose. Complainant is entitled to service.

O R D E R

IT IS ORDERED that Decision No. 64617, temporarily restoring service to complainant, is made permanent, subject to defendant's tariff provisions and existing applicable law.

This order shall be effective on the date hereof.

Dated at San Francisco, California,  
this 26<sup>th</sup> day of MARCH, 1963.

George H. Grover  
President

John L. Dittler  
Robert H. Long

Fredrick B. Hilchhoff

William W. Bernard  
Commissioners