

Decision No, 65510

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Aggie Allen,

Complainant,

vs.

The Pacific Telephone and
Telegraph Company, a corporation,

Defendant.

Case No. 7574
(Filed March 13, 1963)

James Giller, for complainant.
James F. Kirkham, for defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 580 Spruce Street, Oakland, California. Interim restoration was ordered pending further order. (Decision No. 65117.)

Defendant's answer alleges that on or about December 13, 1962, it had reasonable cause to believe that service under the number of Highgate 4-4337 was being or was to be used as an instrumentality directly or indirectly to violate or 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 Rowe at San Francisco on May 9, 1963.

At the hearing it was stipulated by counsel that defendant's action was based upon reasonable cause.

Complainant testified that she has great need for telephone service, and she did not and will not use the telephone

for any unlawful purpose. There was no appearance by or testimony from any law enforcement agency.




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. 65117, temporarily restoring service to complainant, is made permanent, subject to defendant's tariff provisions and existing applicable law.

This order shall be effective twenty days after the date hereof.

Dated at San Francisco, California, this 14th day of JUNE, 1963.


 _____ President

 _____ Acting President





 _____ Commissioners

Commissioner George G. Grover, being temporarily absent, did not participate in the disposition of this proceeding.