

ORIGINAL

Decision No. 65525

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Lorraine McHale,
 Complainant,
 vs.
 The Pacific Telephone and Telegraph
 Company,
 Defendant.

Case No. 7565
 Filed February 20, 1963

D. Ralph Cesari, for complainant.
James F. Kirkham, for defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 554 Bella Vista Street, San Francisco, California. Interim restoration was ordered pending further order. (Decision No. 65006.)

Defendant's answer alleges that on or about February 15, 1963, it had reasonable cause to believe that service to said address under number JU 6-7332 was being or was to be used as an instrumentality directly or indirectly to violate or aid and abet violation of law, and 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 had 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. 65006, 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 18th day of JUNE, 1963.

George J. Grover
President

Robert S. [Signature]

Walter S. [Signature]

Fredrick B. Halboff

William W. [Signature]
Commissioners