

65577.

**ORIGINAL**

Decision No. \_\_\_\_\_

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JANET M. HUNTER,

Complainant,

vs.

Case No. 7572

THE PACIFIC TELEPHONE & TELEGRAPH  
COMPANY,

Defendant.

Janet M. Hunter, in propria persona.  
 Lawler, Felix & Hall, by A. J. Krappman, Jr., for  
 defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 9211 Bryson Avenue, South Gate, California. Interim restoration was ordered pending further order (Decision No. 65085).

Defendant's answer alleges that on or about March 23, 1962, it had reasonable cause to believe that service to Janet Hunter under number LO 4-5042 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 DeWolf at Los Angeles on May 10, 1963.

By letter of March 21, 1962, the Chief of the Intelligence Division, U. S. Treasury Department at Los Angeles, advised defendant that the telephone under number LO 4-5042 was being used in violation of the Federal Wagering Tax Statutes, and requesting disconnection (Exhibit No. 1).

Complainant testified that her grandmother is ill and is confined to a wheel chair, and that she needs a telephone to communicate with her. Complainant testified further that she did not violate the Wagering Law and has no knowledge of such violation. She has great need for telephone service and 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 restoration of service.

O R D E R

IT IS ORDERED that Decision No. 65085, temporarily restoring service to complainant, is made permanent, subject to defendant's tariff provisions and existing applicable law.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 18<sup>th</sup> day of JUNE, 1963.

George F. Grover  
President

[Signature]  
[Signature]

Frederick B. Hoblitt

[Signature]  
Commissioners